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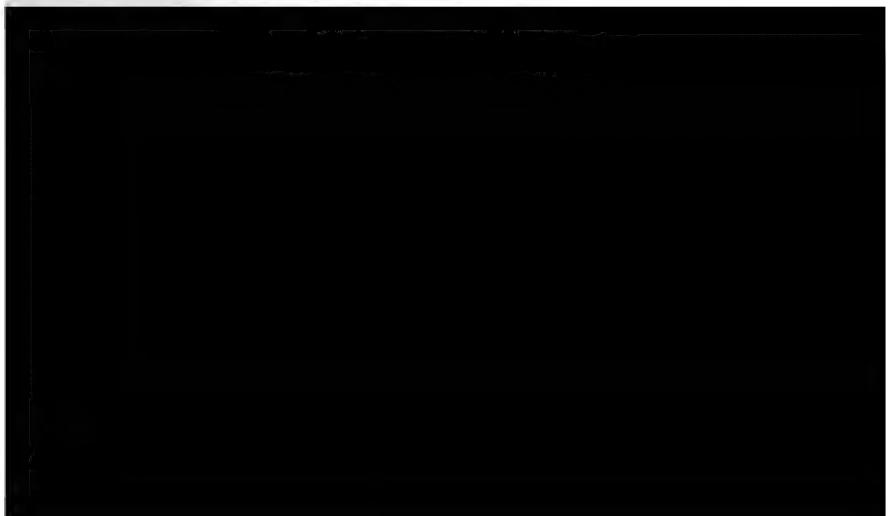
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THE  
EOLOGICAL WORKS  
OF  
ISAAC BARROW, D.D.



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THE  
EOLOGICAL WORKS

OR

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MASTER OF TRINITY COLLEGE, CAMBRIDGE

IN NINE VOLUMES.

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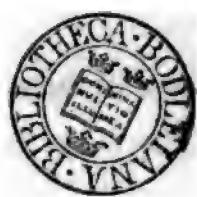
CONTAINING

ESSAY ON THE POPE'S SUPREMACY; THE DISCOURSE  
ON THE UNITY OF THE CHURCH; AND APPENDIX.

CAMBRIDGE:  
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141.6.12.



TO THE RIGHT HONOURABLE

HENEAGE,

EARL OF NOTTINGHAM,

LORD HIGH CHANCELLOR OF ENGLAND,

MEMBER OF HIS MAJESTY'S MOST HONOURABLE PRIVY COUNCIL

THOMAS RAINOW

THE AUTHOR'S FATHER,

HUMBLY DEDICATETH

THIS TREATISE.



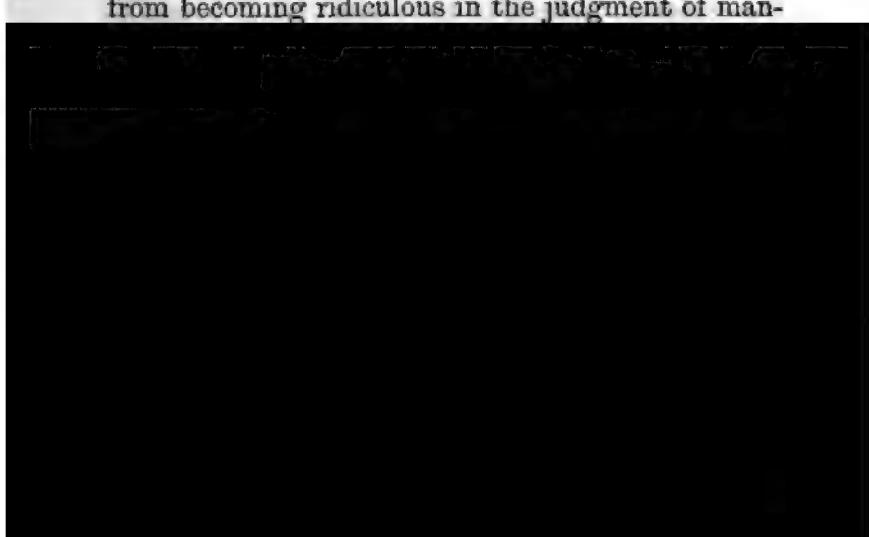
THE  
PUBLISHER TO THE READER.

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THIS excellent and elaborate Treatise of the Pope's Supremacy, which I here present thee withal, the learned Author of it upon his death-bed gave me a particular permission to publish, with this modest character of it; That *he hoped it was indifferent perfect, though not altogether as he intended it, if God had granted him longer life.* He designed, indeed, to have transcribed it again, and to have filled up those many spaces which were purposely left in it, for the further confirmation and illustration of several things by more testimonies and instances, which probably he had in his thoughts: and it would certainly have added much to the beauty and perfection of this work, had it pleased God that he had lived to finish it to his mind, and to have given it his last hand.

However, as it is, it is not only a just, but an admirable Discourse upon this subject; which many others have handled before, but he hath exhausted it: insomuch that no argument of moment, nay, hardly any consideration properly belonging to it, hath escaped his large and comprehensive mind. He hath said enough to silence the controversy for ever, and to deter all wise men, of both sides, from meddling any further with it.

And I dare say, that whoever shall carefully peruse this Treatise will find, that this point of the Pope's Supremacy (upon which Bellarmine hath the confidence to say *the whole of Christianity depends*) is not only an indefensible, but an impudent cause, as ever was undertaken by learned pens. And nothing could have kept it so long from becoming ridiculous in the judgment of man-



now of a long time it hath been by the Pope's janizaries boldly asserted, and stiffly contended for, without reason. So that any one might with as much colour and evidence of truth maintain, that the grand seignior is of right, and for many ages hath been acknowledged, sovereign of the whole world, as that the Bishop of Rome is of right, and in all ages from the beginning of Christianity hath been owned to be, the universal monarch and head of the Christian Church.

To this Treatise of the Pope's Supremacy I have, for the affinity of the argument, added by way of appendix another discourse of the same Author's, concerning *The Unity of the Church*; which he so explains, as quite to take away the necessity of a visible head over the whole Church for the preservation of its unity, which is the only specious, but yet a very remote pretence for the Pope's Supremacy: for if a visible monarch of the Church were granted necessary, many things more must be supposed, (which neither yet are, nor ever can be proved,) to make the Bishop of Rome the man.

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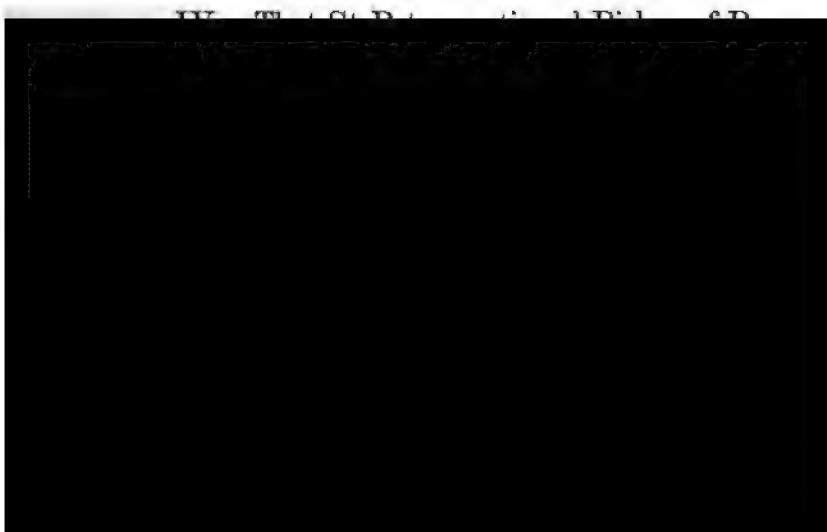
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- 23, 24. Divers Fathers, and specially Vincentius Lirinensis, treating of the mode of confuting Heretics, omit all mention of the decisive authority of the Pope's judgment, 269—271.
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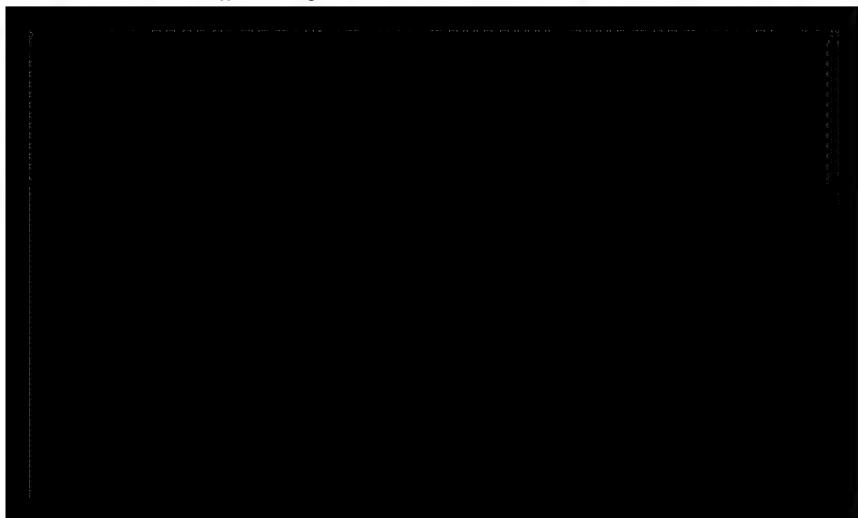
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A TREATISE  
OF THE  
POPE'S SUPREMACY.

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INTRODUCTION.

I. THE Roman party doth much glory in unity and certainty of doctrine, as things peculiar to them, and which no other men have any means to attain: yet about divers matters of notable consideration, in what they agree, or of what they are certain, it is hard to descry.

They pretend it very needful, that controversies should be decided, and that they have a special knack of doing it: yet do many controversies of great weight and consequence stick on their hands unresolved, many points rest in great doubt and debate among them.

The *κύριαι δόξαι* of the Roman sect (concerning doctrine, practice, laws and customs of discipline, rites and ceremonies) are of divers sorts, or built on divers grounds. 1 Some established by (pretended) general Synods. 2 Some founded on decrees of Popes. 3 Some entertained as upon tradition, custom, common agreement. 4 Some which their eminent Divines or Schoolmen do commonly embrace. 5 Some prevailing by the favour of the Roman court, and its zealous dependents.

Hence it is very difficult to know wherein their Religion consisteth: for those grounds divers times seem to clash, and accordingly their Divines (some building on these, some on others) disagree. This being so in many points of importance, is so particularly in this, for instance: The head of their Church (as they call it) is, one would think, a subject about which they should thoroughly consent, and which they, by this time, should have cleared from all disputes; so that (so far as their decisive faculty goeth) we might be assured wherein his authority consisteth, and how far it doth extend; seeing the resolution of that point so nearly toucheth the heart of Religion\*, the faith and practice of all Christians, the good of the Church, and peace of the world; seeing that no one question (perhaps not all questions together) hath created so many tragical disturbances in Christendom, as that concerning the bounds of papal authority.

This disagreement of the Roman doctors about the nature and extent of papal authority is a shrewd

endeavouring against it. If a man should give for a



were: the patents and charters for it would declare it.

Yet for resolution in this great case we are left to seek; they not having either the will, or the courage, or the power, to determine it. This insuperable problem hath baffled all their infallible methods of deciding controversies; their traditions blundering, their Synods clashing, their Divines wrangling endlessly about what kind of thing the Pope is, and what power he rightly may claim. *There is (saith a great Divine among them) so much controversy about the plenitude of ecclesiastical power, and to what things it may extend itself, that few things in that matter are secure<sup>b</sup>.....*

This is a plain argument of the impotency of the Pope's power in judging and deciding controversies, or of his cause in this matter; that he cannot define a point so nearly concerning him, and which he so much desireth an agreement in; that he cannot settle his own claim out of doubt; that all his authority cannot secure itself from contest.

So, indeed, it is, that no spells can allay some spirits; and where interests are irreconcileable, opinions will be so.

Some points are so tough and so touchy, that nobody dare meddle with them, fearing that their resolution will fail of success and submission. Hence even the anathematizing definers of Trent (the boldest undertakers to decide controversies that ever were) did wave this point; the Legates of the Pope being enjoined—to advertise, *That*

<sup>b</sup> *Tanta est inter doctores controversia de plenitudine hujus (ecclesiastice) potestatis, et ad quæ se extendat, ut pauca sint in ea materia secura.—Almain. de Auct. Eccl. cap. iii. [inter Gersoni Opp. Tom. ii. p. 1, col. 981.]*

*they should not for any cause whatever come to dispute about the Pope's authority<sup>c</sup>.*

It was, indeed, wisely done of them to decline this question, their authority not being strong enough to bear the weight of a decision in favour of the Roman see, (against which they could do nothing,) according to its pretences; as appeareth by one clear instance. For whereas that Council took upon it incidentally to enact, that any prince should be excommunicate, and deprived of the dominion of any city or place, where he should permit a duel to be fought; the prelates of France in the Convention of Orders, anno 1593, did declare against that decree, as infringing their king's authority<sup>d</sup>. It was therefore advisedly done not to meddle with so ticklish a point.

But in the mean time their policy seemeth greater than their charity; which might have inclined them not to leave the world in darkness and doubt, and unresolved in a point of so main importance; as, indeed, they did in others of no small consequence, disputed among their Divines



This is the doctrine which almost 400 years ago Augustinus Triumphus, in his egregious work<sup>a</sup> concerning ecclesiastical power, did teach; attributing to the Pope an incomprehensible and infinite power; because great is the Lord, and great is his power, and of his greatness there is no end<sup>b</sup>.

This is the doctrine which the leading Theologue of their sect, their Angelical Doctor, doth affirm, both directly, saying, *That in the Pope is the top of both powers<sup>b</sup>*; and by plain consequence, asserting, that, *When any one is denounced excommunicate for apostasy, his subjects are immediately freed from his dominion, and their oath of allegiance to him<sup>i</sup>*.

This the same Thomas (or an author passing under his name, in his book touching *The Rule of Princes*) doth teach, affirming, *That the Pope, as*

Triumphus,—Alvarus Pelagius—et multi jureconsulti, ut Hostiensis—Panormitanus—Sylvester—et alii non pauci.—Bell. de S. Pont. v. 1. [§ 1.] *The first opinion is, that the pope hath a most full power over the whole world, both in ecclesiastical and civil affairs. This is the doctrine of Aug. Triumphus, &c. and of many others.*

<sup>a</sup> *Scripsit egregiam summam de potestate Ecclesie.*—Bell. de Script. An. 1301.

*supreme king of all the world, may impose taxes on all Christians, and destroy towns and castles for the preservation of Christianity<sup>k</sup>.*

This (as Cardinal Zabarell near 300 years ago telleth us) is the doctrine which, for a long time, those who would please Popes did persuade them, that they could do all things, whatever they pleased; yea, and things unlawful; and so could do more than God<sup>l</sup>.

According to this doctrine then current at Rome, in the last great Lateran Synod, under the Pope's nose and in his ear, one Bishop styled him, *Prince of the world<sup>m</sup>*: another orator called him, *King of kings: and monarch of the earth<sup>n</sup>*: another great Prelate said of him, that *He had all power above all powers both of heaven and earth<sup>o</sup>*: and

<sup>k</sup> S. Thomas (in Lib. III. de Regin. Princ. capp. 10, 19.) [Opp. Tom. XVII. pp. 177, 180.] affirmat summum Pontificem jure divino habere spiritualem et temporalem potestatem, ut supremum totius mundi Regem, adeo ut etiam tales omnibus Christianis possit imponere, et civitates ac castra destruere pro conservatione Christianitatis.—Bell. de S. Pont. v. 5. [§ 10.]

<sup>l</sup> Quae jura sunt notanda, quia male considerata sunt per multos assentatores, qui voluerunt placere pontificibus, per multa retro tempora, et usque ad hodierna suaserunt eis, quod omnia possent; et sic quod facerent quicquid liberet, etiam illicita, et sic plus quam Deus.—[De Schism. Innoc. VII. et Bened. p. 560.]

<sup>m</sup> Ego vero, qui coram te, hoc est coram totius orbis Principe. —[Orat. Archipræs. Spalat. Conc. Later. v. Sess. I. sub P. Jul. II. et P. Leon. X. (ann. 1512—1517) apud Bin. Tom. IX. p. 24. c. 1 f.] [Labb. et Colet. Conc. Tom. xix. col. 700 b.]

<sup>n</sup> Regum rex, et orbis terrarum monarcha.—Del Rio, Conc. Later. V. Sess. VII. p. 87. [c. 1 c.] [Labb. et Colet. Conc. Tom. xix. col. 826 c.]

<sup>o</sup> Quapropter Bernardus ad Eugenium tanquam ad summum hierarchicum in cœlo Ecclesie virum, in quo erat omnis potestas supra omnes potestates, tam cœli, quam terræ.—Archiep. Patrac. Conc. Later. V. Sess. x. p. 132. [c. 1 c.] [Labb. et Colet. Conc. Tom. xix. col. 924 d.]

the same roused up Pope Leo X. in these brave terms: *Snatch up therefore the two-edged sword of Divine power, committed to thee; and enjoin, command, and charge, that an universal peace and alliance be made among Christians for at least ten years; and to that bind kings in the fetters of the great King, and constrain nobles by the iron manacles of censures: for to thee is given all power in heaven and in earth*<sup>p</sup>.

This is the doctrine which Baronius, with a Roman confidence, doth so often assert and drive forward, saying, *That there can be no doubt of it, but that the civil principality is subject to the sacerdotal<sup>q</sup>: and, That God hath made the political government subject to the dominion of the spiritual Church*<sup>r</sup>.

III. From that doctrine the opinion in effect doth not differ, which Bellarmine voucheth for the common opinion of Catholics, that by reason of the spiritual power, the Pope, at least indirectly, hath a supreme power even in temporal matters<sup>s</sup>.

<sup>p</sup> Arripe ergo gladium divinæ potestatis tibi traditum bis acutum: et inha. immura. et manda. ut pax universalis et colligatio per-



This opinion, so common, doth not, I say, in effect and practical consideration, anywise differ from the former; but only in words devised to shun envy, and veil the impudence of the other assertion: for the qualifications, *by reason of the spiritual power*, and, *at least indirectly*, are but notional, insignificant, and illusive, in regard to practice: it importing not, if he hath in his keeping a sovereign power, upon what account, or in what formality he doth employ it; seeing that every matter is easily referrible to a spiritual account; seeing he is sole judge upon what account he doth act; seeing experience sheweth, that he will spiritualize all his interests, and upon any occasion exercise that pretended authority; seeing it little mattereth, if he may strike princes, whether he doth it by a downright blow, or slantly.

IV. That such an universal and absolute power hath been claimed by divers Popes, successively for many ages, is apparent from their most solemn declarations and notorious practices; whereof (beginning from later times, and rising upwards toward the source of this doctrine) we shall represent some.

The Bull of Pope Sixtus V. against the two An. 1585. sons of wrath, Henry, king of Navarre, and the prince of Condé, beginneth thus; *The authority given to St Peter and his successors, by the immense power of the eternal King, excels all the powers of earthly kings and princes—It passes uncontrollable sentence upon them all—And if it find any of them resisting God's ordinance, it takes more severe vengeance of them, casting them down from their thrones, though never so puissant, and tumbling them down*

*to the lowest parts of the earth, as the ministers of aspiring Lucifer: and then he proceeds to thunder against them, We deprive them and their posterity for ever of their dominions and kingdoms<sup>t</sup>; and accordingly he depriveth those princes of their kingdoms and dominions, absolveth their subjects from their oaths of allegiance, and forbiddeth them to pay any obedience to them: By the authority of these presents, we do absolve and set free all persons, as well jointly as severally, from any such oath, and from all duty whatsoever in regard of dominion, fealty, and obedience; and do charge and forbid all and every of them, that they do not dare to obey them, or any of their admonitions, laws, and commands<sup>u</sup>.*

An. 1570.

Pope Pius V. (one of the holiest Popes of the last stamp, who hardly hath escaped canonization until now<sup>v</sup>) beginneth his Bull against our Queen Elizabeth in these words; *He that reigneth on high, to whom is given all power in heaven and in earth, hath committed the one holy catholic and apostolic*

<sup>t</sup> *Ab immensa interni Regis potentia Beato Petro ejusque suc-*

*Church, out of which there is no salvation, to one alone on earth, namely, to Peter, prince of the apostles, and to the Roman pontiff, successor of Peter, to be governed with a plenitude of power: this one he hath constituted prince over all nations, and all kingdoms, that he might pluck up, destroy, dissipate, ruinate, plant, and build'.—And in the same Bull he declares, that He thereby deprives the queen of her pretended right to the kingdom, and of all dominion, dignity, and privilege whatsoever; and absolves all the nobles, subjects, and people of the kingdom, and whoever else have sworn to her, from their oath, and all duty whatsoever, in regard of dominion, fidelity, and obedience<sup>2</sup>.*

Pope Clement VI. did pretend to depose the <sup>An. 1346.</sup> Emperor Lewis IV.

Pope Clement V. in the great Synod of Vienne, <sup>An. 1311.</sup> declared the Emperor subject to him, or standing obliged to him by a proper oath of fealty<sup>3</sup>.

Pope Boniface VIII. hath a decree extant in <sup>An. 1294.</sup> the Canon Law running thus: *We declare, say, define, pronounce it to be of necessity to salvation, for every human creature to be subject to the Roman*

<sup>2</sup> Regnans in excelsis, cui data est omnis in cœlo et in terra potestas, unam sanctam, catholicam et apostolicam Ecclesiam, extra quam nulla est salus, uni soli in terris, videlicet apostolorum principi Petro, Petriique successori Romano Pontifici, in potestatis plenitudine tradidit gubernandam: hunc unum super omnes gentes et omnia regna principem constituit, qui evellet, destruat, dissipet, disperdat, plantet et ædificet.—P. Pius V. in Bull. contra R. Eliz. Camb. Hist. anno 1570. [Magn. Bullar. Rom. Tom. II. p. 325.]

<sup>3</sup> Ipsam prætenso regni jure, nec non omni quocunque dominio, dignitate privilegioque privamus; et iterum proceres, subditos, &c. —Ibid.

\* Apostolica auctoritate de fratum nostrorum consilio declaramus, illa juramenta prædicta fidelitatis existere et censeri debere. —Clem. Lib. II. Tit. ix. Vide Conc. Vienn. p. 909. [?]

*pontiff<sup>b</sup>.* The which subjection, according to his intent, reacheth all matters; for he there challengeth a double sword, and asserteth to himself jurisdiction over all temporal authorities: for, *One sword, saith he, must be under another, and the temporal authority must be subject to the spiritual power<sup>c</sup>;*—whence, *if the earthly power doth go astray, it must be judged by the spiritual power<sup>d</sup>.* The which aphorisms he proveth by Scriptures admirably expounded to that purpose.

This definition might pass for a rant of that boisterous Pope, (*A man above measure ambitious and arrogant<sup>e</sup>*,) vented in his passion against king Philip of France, if it had not the advantage (of a greater than which no papal decree is capable) of being expressly confirmed by one of their general Councils: for, *We* (saith Pope Leo X. in his Bull read and passed in the Lateran Council) *do renew and approve that holy constitution, with approbation of the present Holy Council<sup>f</sup>.* Accordingly Melchior Canus saith, *That the Lateran Council did renew and approve that extravagant (indeed ~~extravagant~~) constitution<sup>g</sup>, and Papouius saith of*



Before him, Pope Innocent III. (that *true wonder of the world, and changer of the age<sup>n</sup>*,) did affirm the pontifical authority so much to exceed the royal power, as the sun doth the moon<sup>o</sup>; and applieth to the former that of the prophet Jeremiah; *Ecce, constitui te super gentes et regna;*—See, *I Jer. i. 10.* *have set thee over the nations and over the kingdoms, to root out, and to pull down, and to destroy, and to throw down, &c.*<sup>p</sup>

Of this power that Pope made experiment, by deposing the emperor Otho IV.: *Whom, saith Naucerus, as rebellious to the apostolical see, he first did strike with an anathema; then him persevering in his obstinacy did in a council of prelates, held at Rome, pronounce deposed from empire<sup>q</sup>.*

The which authority was avowed by that great Council under this Pope, (the which, according to the men of Trent<sup>r</sup>, did represent or constitute the Church,) wherein it was ordained, that, *If a temporal lord, being required and admonished by the Church, should neglect to purge his territory from heretical*

<sup>n</sup> *Vere stupor mundi, et immutator seculi.*—Matt. Par. anno 1217.

<sup>o</sup> *Ut quanta est inter Solem et Lunam, tanta inter Pontifices et Reges differentia cognoscatur.*—P. Innoc. III. in Decret. Greg. IX. Lib. I. Tit. xxxiii. cap. 6. [§ 4. Corp. Jur. Can. Tom. II. p. 59.]

<sup>p</sup> [Potuisses autem prærogativam Sacerdotii ex eo potius intellegere, quod dictum est, non a quolibet, sed a Deo; non Regi sed Sacerdoti; non de Regia stirpe, sed de Sacerdotali prosapia descendenti, de Sacerdotibus videlicet, qui erant in Anathot; *Ecce constitui, &c.*—Ibid. § 3.]

<sup>q</sup> *Imperatorem—ut rebellem sedi apostolice et inobedientem anathemate primum, deinde in pertinacia perseverantem, in concilio presulum, quod Romæ tum Innocentius celebrabat, ab imperio depositum percussit et pronunciavit.*—Chronic. anno 1212. [Tom. II. p. 210. Tubing. 1516.]

<sup>r</sup> *Neque enim per Laterense Concilium Ecclesia statuit, &c.*—Conc. Trid. Sess. XIV. cap. 5.

*filth, he should by the metropolitan and other co-provincial bishops be noosed in the band of excommunication; and that if he should slight to make satisfaction within a year, it should be signified to the pope, that he might from that time denounce the subjects absolved from their fealty to him, and expose the territory to be seized on by catholics, &c.*<sup>8</sup>

**An. 1099.** Before that, Pope Paschal II. deprived Henry IV. and excited enemies to persecute him; telling them, that they could not offer a more acceptable sacrifice to God, than by impugning him, who endeavoured to take the kingdom from God's Church.

**An. 1088.** Before him, Pope Urban II. (called Turban by some in his age) did preach this doctrine, recommended to us in the Decrees, that *Subjects are by no authority constrained to pay the fidelity which they have sworn to a Christian prince, who opposeth God and his saints, or violateth their precepts*<sup>9</sup>. An

<sup>8</sup> [Si vero Dominus temporalis requisitus et monitus ab Ecclesia, terram suam purgare neglexerit ab hac hæretica fœditate, per metropolitanum et cæteros coprovinciales Episcopos excommunicationis vinculo innodetur. Et si satisfacere contempserit intra annum, significetur hoc summo Pontifice, ut ex tunc ipse vassallos



nstance whereof we have in his granting a privilege to the Canons of Tours; *Which, saith he, if any emperor, king, prince, &c. shall wilfully attempt to thwart, let him be deprived of the dignity of his honour and power*.

But the great apostle (if not author) of this confounding doctrine was Pope Gregory VII. (a man of a bold spirit and fiery temper, inured even before his entry on that See to bear sway, and drive on daring projects; possessed with resolution to use the advantages of his place and time in pushing forward the papal interest to the utmost,) who did lift up his voice like a trumpet, kindling wars and seditions thereby over Christendom. His dictates and practices are well known, being iterated in his own Epistles<sup>x</sup>, and in the Roman Councils under him, extant: yet it may be worth the while to hear him swagger in his own language.

<sup>x</sup> *Si quis—imperator, rex, princeps—contra eam (hanc constitutionem) temere venire tentaverit—potestatis honorisque sui dignitate careat.*—P. Urb. II. Ep. xii. [apud Bin. Tom. vii. p. i. p. 499, c. 2 c.] [Mans. Conc. Tom. xx. col. 619 a.]

<sup>x</sup> *Vid. ejus Dictat. apud Bin. Epp. Lib. II. post 55. [Mans. Conc. Tom. xx. col. 168.]*

#### Dictatus Papæ.

*Quod Romana Ecclesia a solo domino sit fundata.*

*Quod solus Romanus Pontifex jure dicatur universalis.*

*Quod ille solus possit deponere Episcopos vel reconciliare.*

*Quod legatus ejus omnibus Episcopis praesit in Concilio, etiam inferioris gradus, et adversus eos sententiam depositionis dare possit.*

*Quod absentes Papa possit deponere.*

*Quod cum excommunicatis ab illo, inter cætera, nec in eadem domo debemus manere.*

*Quod illi soli licet pro temporis necessitate novas leges condere, novas plebes congregare, de canonica abbatiam facere, et econtra divitem episcopatum dividere, et inopes unire.*

*Quod solus possit uti imperialibus insigniis.*

*Quod solius Papæ pedes omnes principes deosculentur.*

*For the dignity and defence of God's holy Church, in the name of Almighty God, the Father, Son, and Holy Ghost, I depose from imperial and royal administration, King Henry, son of Henry sometime Emperor, who too boldly and rashly hath laid hands on thy Church; and I absolve all Christians subject*

Quod illius solius nomen in Ecclesiis recitetur.

Quod unicum est nomen in mundo.

Quod illi liceat Imperatores deponere.

Quod illi liceat de Sede ad Sedem, necessitate cogente, Episcopos transmutare.

Quod de omni Ecclesia quocumque voluerit clericum valeat ordinare.

Quod ab illo ordinatus alii Ecclesiae præesse potest, sed non militare, et quod ab aliquo Episcopo non debet superiorem gradum accipere.

Quod nulla Synodus absque præcepto ejus debet generalis vocari.

Quod nullum capitulum, nullus liber canonicus habeatur absque illius auctoritate.

Quod sententia illius a nullo debeat retractari, et ipse omnium solus retractare possit.

Quod a nemine ipse judicari debeat.

Quod nullus audeat condemnare Apostolicam Sedem appellantem.

Quod majores causæ cujuscunque Ecclesiæ ad eam referri debeat.

Quod Romana Ecclesia nunquam erravit, nec in perpetuum, Scriptura testante, errabit.



*to the Empire from that oath whereby they were wont to plight their faith unto true kings: for it is right that he should be deprived of dignity, who doth endeavour to diminish the majesty of the Church<sup>y</sup>.*

*Go to therefore, most holy princes of the Apostles, and what I said, by interposing your authority, confirm; that all men may now at length understand, if ye can bind and loose in heaven, that ye also can upon earth take away and give empires, kingdoms, and whatsoever mortals can have: for if ye can judge things belonging unto God, what is to be deemed concerning these inferior and profane things? And if it is your part to judge angels, who govern proud princes, what becometh it you to do toward their servants? Let kings now, and all secular princes, learn by this man's example, what ye can do in heaven, and in what esteem ye are with God; and let them henceforth fear to slight the commands of holy Church: but put forth suddenly this judgment, that all men may understand, that not casually, but by your means, this son of iniquity doth fall from his kingdom<sup>z</sup>.*

<sup>y</sup> *Hac itaque fiducia fatus, pro dignitate et tutela Ecclesio tua sanctæ, Omnipotentis Dei nomine, Patris, Filii, et Spiritus Sancti, Henricum regem, Henrici quondam Imperatoris filium, qui audacter nimium et temerarie in Ecclesiam tuam manus injectit, imperatoria administratione regiaque dejicio; et Christianos omnes imperio subiectos, juramento illo absolvo, quo fidem veris regibus praestare consueverunt. Dignum est enim, ut is dignitate careat, qui majestatem Ecclesiae imminuere conatur.—Plat. in Greg. VII. [Vit. Pontif. p. 326.] Cf. Conc. Rom. III. apud Bin. Conc. Tom. VII. p. 484. [Mans. Conc. Tom. XX. col. 469 A.]*

<sup>z</sup> *[Agite igitur Apostolorum sanctissimi principes, et quod dixi, vestra auctoritate interposita, confirmate, ut omnes nunc demum intelligent, si potestis in celo ligare et solvere, in terra quoque imperia, regna, principatus, et quidquid habere mortales possunt, auferre et dare vos posse. Si enim quæ ad Deum pertinent judicare*

So did that Pope, not unadvisedly in heat or passion, but out of settled judgment, upon cool deliberation, express himself in his Synods at Rome.

This Pope is, indeed, by many held the inventor and broacher of this strange doctrine; and even those, who about his age did oppose it, did express themselves of this mind; calling it the novel tradition, schism, heresy of Hildebrand<sup>a</sup>.

*Pope Hildebrand (saith the Church of Liege, in their answer to the Epistle of Pope Paschal) is author of this new schism, and first did raise the priest's lance against the royal diadem.—Who first did girt himself, and by his example other Popes, with the sword of war against the Emperors<sup>b</sup>.*

*This only novelty, saith Sigebert, not to say heresy, had not yet sprang up in the world, that the priests of him who saith to the king, Apostate, and who maketh hypocrites to reign for the sins of the people, should teach the people that they owe no subjection to bad kings; and although they have sworn*

Job xxxiv.  
18, 30.

*potestis, quid de his inferioribus et profanis censendum est? Et si Angelos dominantes superbis principibus vestrum est judicare, quid in eorum illorum vos dicent? Edicant nunc reges huius eximiae*



*allegiance to the king, they yet owe him none, and that they who take part against the king may not be said to be perjured; yea, that he who shall obey the king may be held excommunicate; he that shall oppose the king, may be absolved from the crime of injustice and perjury<sup>c</sup>.*

Indeed, certain it is, that this man did in most downright strains hold the doctrine, and most smartly apply it to practice; yet did he disclaim the invention or introduction of it; professing that he followed the notions and examples of his predecessors, divers of which he allegeth in defence of his proceedings: *We, saith he, holding the statutes of our holy predecessors, do by apostolical authority absolve those from their oath who are obliged by fealty or sacrament to excommunicate persons, and by all means prohibit that they observe fealty to them<sup>d</sup>.*

<sup>c</sup> *Hæc sola novitas, non dicam hæresis, necdum in mundo emer-  
serat, ut sacerdotes illius qui dicit regi, apostata, et qui regnare  
facit hypocritam propter peccata populi, doceant populum, quod  
malis regibus nullam debeant subjectionem, et licet ei sacramentum  
fidelitatis fecerint, nullam tamen debeant fidelitatem; nec perjuri  
dicantur, qui contra regem senserint; imo, qui regi paruerit pro  
excommunicato habeatur; qui contra regem fecerit, a noxa injus-  
titiae et perjurii absolvatur.*—Chronic. anno 1088. [inter Script.  
Rerum German. Tom. i. p. 606. Francof. 1683.]

<sup>d</sup> *Nos, sanctorum prædecessorum nostrorum statuta tenentes,  
eos, qui excommunicatis fidelitate aut sacramento constricti sunt,  
apostolica auctoritate a sacramento absolvimus: et ne eis fidelitatem  
observent, omnibus modis prohibemus.*—P. Greg. VII. (in Conc.  
Rom. iv.) Caus. xv. Qu. vi. cap. 4. [Corp. Jur. Can. Tom. i. p. 260.  
Cf. Bin. Tom. vii. Pars i. p. 486, c. 2 A.] [Mans. Conc. Tom. xx.  
col. 506 A.] Cf. Ep. viii. 21. [Bin. p. 445, c. 2 F.] [Mans. Conc. Tom.  
xx. col. 333 E.] *Talibus ergo institutis, talibusque fulti auctoritatibus  
plerique Pontificum, alii Reges, alii Imperatores excommunica-  
verunt.*—Beatus Innocentius Papa Arcadium Imperatorem—ex-  
communicavit. Alius item Romanus Pontifex Zacharias videlicet  
Regem Francorum—a regno depositus—Francigenas a juramento

And so it is, that (although for many successions before Pope Hildebrand the Popes were not in condition or capacity to take so much upon them; there having been a row of persons intruded into that See, void of virtue, and of small authority, most of them very beasts, who depended upon the favour of princes for their admittance, confirmation, or support in the place; yet) we may find some Popes before him, who had a great spice of those imperious conceits, and upon occasion made very bold with princes, assuming power over them, and darting menaces against them. For

Pope Leo IX. telleth us, that Constantine M. *did think it very unbecoming, that they should be subject to an earthly empire whom the Divine Majesty had set over an heavenly*<sup>6</sup>: and surely he was of his author's mind, whom he alleged; although, indeed, this Pope may be supposed to speak this and other sayings to that purpose, by suggestion of Hildebrand, by whom he was much governed<sup>7</sup>.

Pope Stephanus VI. told the Emperor Basilius, that he ought to be subject with all veneration to the Roman Church<sup>8</sup>.

Pope John VIII. (or IX.) did pretend obedience due to him from princes; and in default thereof threatened to excommunicate them<sup>h</sup>. An. 873.

Pope Nicolas I. cast many imperious sayings and threats at king Lotharius; these among others: *We do therefore by apostolical authority, under obtestation of the Divine judgment, enjoin to thee, that in Triers and Colen thou shouldest not suffer any bishop to be chosen, before a report be made to our apostleship<sup>i</sup>.* (Was not this *satis pro imperio?*) *And again, That being compelled thou mayest be able to repent, know, that very soon thou shalt be struck with the ecclesiastical sword; so that thou mayest be afraid any more to commit such things in God's holy Church<sup>k</sup>.*

And this he suggesteth for right doctrine, that subjection is not due to bad princes; perverting the Apostle's words to that purpose; *Be subject to the king as excelling, that is, saith he, in virtues, not in vices<sup>l</sup>:* whereas the Apostle meaneth eminency in power.

<sup>h</sup> *Cuncti venire per inobedientiam neglexistis et deinceps excommunicamus omnes, &c.*—P. John VIII. Ep. cxix. [apud Bin. Tom. VII. Pars I. p. 47, c. 2 E.] [Mans. Conc. Tom. XVII. col. 92 E.]

<sup>i</sup> *Idcirco Apostolica autoritate, sub Divini judicij obtestatione, injungimus tibi, ut in Treverensi urbe et in Agrippina Colonia nullum eligi patiaris, antequam relatum super hoc nostro Apostolatui fiat.*—P. Nic. I. ad Lothar. Reg. apud Grat. Dist. LXIII. cap. 4. [Corp. Jur. Can. Tom. I. p. 83.]

<sup>k</sup> *Ut saltem compulsus resipiscere valeas, neveris te citissime mucrone Ecclesiastico ferendum; ita ut ulterius talia in sancta Dei Ecclesia perpetrare formides.*—Id. Ep. LXIV. ad eund. apud Bin. Tom. VI. p. 602, [c. 2 r.] [Mans. Conc. Tom. XV. col. 351 c.]

<sup>l</sup> *Ergo Regi quasi præcellentí, virtutibus scilicet et non vitiis, subditi estote.*—Id. Ep. IV. (App.) [Bin. p. 626, c. 1 A.] [Mans. Conc. Tom. XV. col. 373 c.]

Pope Gregory VII. doth also allege Pope Zachary, *Who, saith he, did depose the king of the Franks, and did absolve all the French from the oath of fidelity which they had taken unto him, not so much for his iniquities, as because he was unfit for such a power<sup>m</sup>.*

This, indeed, was a notable act of jurisdiction, if Pope Gregory's word may be taken for matter of fact; but divers maintain, that Pope Zachary did only concur with the rebellious depositors of king Chilperick in way of advice or approbation, not by authority.

An. 772.

It was pretty briskly said of Pope Adrian I. *We do by general decree constitute, that whatever king, or bishop, or potentate, shall hereafter believe, or permit, that the censure of the Roman pontiffs may be violated in any case, he shall be an execrable anathema, and shall be guilty before God, as a betrayer of the catholic faith<sup>n</sup>.*

*Constitutions against the canons and decrees of the bishops of Rome, or against good manners, are of no moment<sup>o</sup>.*



Before that, Pope Gregory II. because the An. 730. Western Emperor did cross the worship of images, did withdraw subjection from him, and did thrust his authority out of Italy: *He, saith Baronius, id effectually cause both the Romans and Italians to recede from obedience to the Emperor*<sup>p</sup>.

This was an act in truth of rebellion against the Emperor, in pretence of jurisdiction over him; or how otherwise could he justify or colour the act? So, as Baronius reflecteth, *he did leave to posterity a worthy example, (forsooth,) that heretical princes should not be suffered to reign in the Church of Christ, if, being warned, they were found pertinacious in error*<sup>q</sup>.

And no wonder he then was so bold, seeing he Pope had obtained so much respect in those arts of the world, that (as he told the Emperor Leo Isaurus) *All the kingdoms of the west did hold it Peter as an earthly god*<sup>r</sup>: of which he might be able to seduce some to uphold him in his rebellious practices.

This is the highest source, as I take it, to which his extravagant doctrine can be driven; for that single passage of Pope Felix III. though much ncienter, will not amount to it: *It is certain, that, in causes relating to God, it is the safest course for*

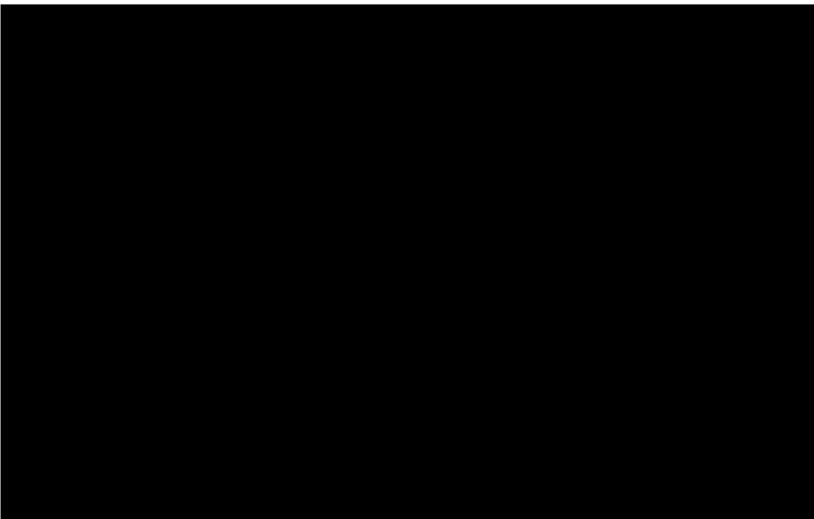
<sup>p</sup> *Tum Romanos tum Italos ab ejus obedientia recedere ponitus exist.*—*Annal. Eccles. anno 730. § 4. [Tom. xii. p. 389, c. 1.]*

<sup>q</sup> *Sic dignum posteris idem Gregorius reliquit exemplum, ne in Ecclesia Christi regnare sinerentur haeretici principes, si sepe ioniti, in errore persistere obstinato animo invenirentur.*—*Ibid. § 5.]*

<sup>r</sup> *Ον αι πάσαι βασιλεῖαι τῆς δύσεως Θεὸν ἐπίγειον ἔχουσι.*—*Greg. I. de S. imag. ad Leon. Isaur. Imp. Epist. 1. [Syn. vii. apud Bin. Tom. v. p. 508 d.] [Mans. Conc. Tom. xii. col. 972 d.]*

*you, that, according to his institution, ye endeavour to submit the will of the king to the priests<sup>u</sup>, &c.* For while the Emperor did retain any considerable authority in Italy, the Popes were better advised than to vent such notions; and while they themselves did retain any measure of pious or prudent modesty, they were not disposed to it. And we may observe divers Popes near that time in word and practice thwarting that practice. For instance,

Pope Gelasius, a vehement stickler for papal authority, doth say to the Emperor *Anastasius, I*, *as being a Roman born, do love, worship, reverence thee as the Roman prince<sup>t</sup>*: and he saith, that *The prelates of Religion (knowing the empire conferred on him by Divine Providence) did obey his laws<sup>u</sup>*: and otherwise he discourses, that *Christ had distinguished by their proper acts and dignities the offices of ecclesiastical and civil power<sup>x</sup>*, that one should not meddle with the other; so disclaiming temporal power due to himself, being content to screw up his spiritual authority.



After him, as is well known, Pope Gregory I. (as became a pious and good man) did avow the Emperor for his lord, by God's gift superior to all men, to whom he was subject, whom he in duty was bound to obey<sup>y</sup>; and supposed it a high presumption for any one to set himself above the honour of the empire<sup>z</sup>, by assuming the title of universal Bishop.

After him, Pope Agatho, in the acts of the <sup>An. 680.</sup> sixth general Council, doth call the Emperor Constantine Pognatus his lord; doth avow himself, together with all presidents of the Churches, servants to the Emperor; doth say, that his See and his Synod were subject to him, and did owe obedience to him<sup>a</sup>.

Presently after him, Pope Leo II. who confirmed that general Synod, doth call the Emperor *The prototype son of the Church*<sup>b</sup>; and acknowledgeth the body of priests to be servants (meanest servants) of his royal nobleness<sup>c</sup>.

After him, Pope Constantine, (the immediate <sup>An. 709.</sup> predecessor of Pope Gregory II.) when the Em-

<sup>y</sup> *Ad hoc potestas super omnes homines, Dominorum meorum pietati cœlitus data est.*—[Epp. Lib. III. 65. Opp. Tom. II. col. 676 A.]

*Ego indignus famulus vester.*—[Ibid. col. 676 c.]

*Ego quidem jussioni subjectus.*—[Ibid. col. 677 B.]

<sup>z</sup> *Qui honori quoque imperii vestri se per privatum vocabulum superponit.*—Epp. Lib. V. 20, col. 749 B.

<sup>a</sup> *Δεσπότας καὶ τέκνα.* Act. Syn. VI. p. 53. *ἡμεῖς δοῦλοι τοῦ βασιλέως.* p. 94. *ἡμετέρα δουλεία.* p. 32. *τῶν ἐκκλησιῶν πρόεδροι οἱ δοῦλοι τοῦ χριστιανικωτάτου ὑμῶν κράτους.* p. 94. *δουλικὸς ὑμῶν καὶ ἡμᾶς θρόνος.* p. 64. *ἐνεκεν ὑπακοῆς, ἡς ὀφελομεν.* pp. 33, 34.

<sup>b</sup> *Πρωτότυπος ἐκελησίας τέκνον.*—Syn. VI. Ep. ad Imp. Act XVIII. p. 303 E. [Mans. Conc. Tom. XI. col. 728 C.]

<sup>c</sup> *Ἡ βασιλικὴ εὐγένεια τοῖς ἐσχάτοις ἀντῆς δούλοις συγκατέβαστε.*—Ibid. p. 304 B. [Mans. Conc. col. 727 A.]

peror did command him to come to Constantinople, *The most holy man*, saith Anastasius in his Life, *did obey the imperial commands*<sup>d</sup>.

Yea, Pope Gregory II. himself, before his defection, (when perhaps the circumstances of time did not animate him thereto,) did, in his Epistle to Leo Isaurus, acknowledge him, as Emperor, to be *The head of Christians*<sup>e</sup>; and himself consequently subject to him.

This Gregory therefore may be reputed the father of that doctrine, which, being fostered by his successors, was by Pope Gregory VII. brought up to its robust pitch and stature.

I know, Pope Gregory VII.<sup>f</sup> to countenance him, doth allege Pope Innocent I. excommunicating the Emperor Arcadius for his proceedings against St Chrysostom<sup>g</sup>: and the writers of St Chrysostom's Life<sup>h</sup>, with others of the like age and

<sup>d</sup> —— misit suprafactus Imperator ad Constantium Pontificem sacram, per quam jussit eum ad regiam ascendere urbem. Qui sanctissimus vir jussis imperialibus obtemperans.—Anast. in Vit. P. Const. [Tom. I. p. 159.]



credit, do back him therein. But seeing the historians<sup>i</sup> who lived in St Chrysostom's own time, and who write very carefully about him, do not mention any such thing; seeing that, being the first act in the kind, it must have been very notable, and have made a great noise; seeing that story doth not suit with the tenor of proceedings, reported by those most credible historians, in that case; seeing that fact doth nowise sort to the condition and way of those times; that report cannot be true, and it must be numbered among the many fabulous narrations, devised by some wanton Greeks, to set out the life of that excellent personage.

The same Pope<sup>k</sup> doth also allege St Gregory the Great denouncing excommunication and deprivation of honour to all kings, bishops, judges, &c. who should violate the privilege granted to the Monastery of St Medard. But this (as are many such privileges) is a rank forgery, unworthily imposed on Pope Gregory, (that prudent, meek, and holy man,) much to his wrong and disgrace: which I will not be at trouble to confute, having shewed St Gregory to have been of another judgment and temper, than to behave himself thus towards princes; and seeing that task is abundantly

<sup>i</sup> Socrates, Sozomen, Theodoret, Palladius.

<sup>k</sup> Epp. VIII. 21. [Mans. Conc. Tom. xx. col. 332 p. Beatus quoque Gregorius Papa Reges a sua dignitate cadere statuit, qui Apostolice Sedis decreta violare præsumperint scribens ad quemdam Senatorem Abbatem his verbis: Si quis vero Regum, Sacerdotum, Judicium, atque sacerdotalium personarum, hanc constitutionis nostre paginam agnoscens, contra eam venire tentaverit, potestatis honorisque sui dignitate careat.—Vid. Privel. Mon. S. Med. Greg. M. Opp. Tom. II. col. 1287 B.]

discharged by that very learned man, Monsieur Launoy<sup>1</sup>.

Indeed, (upon this occasion to digress a little further,) it doth not seem to have been the opinion of the ancient Popes, that they might excommunicate their sovereign princes: for if they might, why did they forbear to exercise that power, when there was greatest reason, and great temptation for it?

Why did not Pope Julius or Pope Liberius excommunicate Constantius, the great favourer of the Arians, against whom Athanasius, St Hilary, and Lucifer Calar. do so earnestly inveigh, calling him heretic, antichrist, and what not? How did Julian himself escape the censure of Pope Liberius? Why did not Pope Damasus thunder against Valens, that fierce persecutor of Catholics? Why did not Damasus censure the Empress Justina, the patroness of Arianism? Why did not Pope Siricius censure Theodosius I. for that bloody fact, for which St Ambrose denied him the communion? How was it that Pope Leo I. (that stout and high

Pope) had not the heart to correct Theodosius



or which they had so much zeal? Why did neither Pope Felix, nor Pope Gelasius, nor Pope Symmachus, nor Pope Hormisdas, excommunicate the Emperor Anastasius, (yea, did not so much, Pope Gelasius saith, as touch his name<sup>m</sup>,) for countenancing the oriental bishops in their schism, and refractory non-compliance with the papal authority? Those Popes did, indeed, clash with that Emperor, but they expressly deny, that they did condemn him with others whom he did favour: *We, saith Pope Symmachus, did not excommunicate thee, O Emperor, but Acacius.—If you mingle yourself, you are not excommunicated by us, but by yourself<sup>n</sup>:* and, *If the Emperor pleaseth to join himself with those condemned, saith Pope Gelasius, it cannot be imputed to us<sup>o</sup>.*

Wherefore Baronius<sup>p</sup> doth ill, in affirming Pope Symmachus to have anathematized Anastasius: whereas that Pope plainly denied, that he had excommunicated him, yea, denied it even in those words which are cited to prove it, being rightly read: for they are corruptly written in Baronius and Binius<sup>q</sup>; *ego* (which hath no sense,

<sup>m</sup> *Quid sibi vult autem, quod dixerit Imperator, a nobis se in Religione damnatum, cum super hac parte decessor meus non solum minime nomen ejus attigerit?*—P. Gelas. I. Epist. iv. [apud Bin. Tom. iii. p. 624. c. 2 B.] [Mans. Conc. Tom. viii. col. 16 c.]

<sup>n</sup> *Nos te non excommunicavimus, imperator, sed Acacium.—Si te misces, non a nobis, sed a te ipso excommunicatus es.*—P. Symmach. Ep. vi. Bin. Tom. iii. p. 679, c. 1 A.] [Mans. Conc. Tom. viii. col. 216 A.]

<sup>o</sup> *Si isti placet se miscere damnatis, nobis non potest imputari.*—P. Gelas. I. Ep. iv. [p. 624, c. 2c.] [Mans. Conc. Tom. viii. col. 16 D.]

<sup>p</sup> *Annal. Eccles. anno 503. § 17.* [Tom. ix. p. 33, c. 1.]

<sup>q</sup> *Dicis, quod, mōcum conspirante senatu, excommunicaverim te. Ista quidem ego (nego): sed rationabiliter factum a decessoribus*

or one contradictory to his former assertion) being put for *nego*, which is good sense, and agreeable to what he and the other Popes do affirm in relation to that matter.

Why do we not read, that any Pope formally did excommunicate, though divers did zealously contradict and oppose, the princes who did reject images?

In fine, a noble Bishop above 500 years ago did say, *I read and read again the records of the Roman Kings and Emperors, and I nowhere find that any of them before this was excommunicated or deprived of his kingdom by the Roman Pontiff.*

Surely therefore the ancient Popes did either not know their power, or were very negligent of their duty.

Such have been the doctrine and behaviour of Popes in reference to their power.

V. This doctrine of the Pope's universal power over all persons in all matters may reasonably be supposed the sentiment of all Popes continually for a long time even for more than 500 years unto

rogance and iniquity, which tendeth to work enormous wrongs and grievous mischiefs: whence, if any Pope should conceive it false, he were bound openly to disclaim, to condemn, to refute it; lest the authority of his predecessors, and his connivance, should induce others into it, or settle them in it; as it is (in regard to Pope Honorius) charged upon Pope Leo II., who did not, as it became the apostolical authority, extinguish the flame of heretical doctrine beginning, but did by neglecting to extinguish it<sup>\*</sup>. In such a case a Pope must not be silent: for, *No small danger*, saith Pope Gelasius, *lieth upon Popes in being silent about what agreeeth to the service of God*<sup>t</sup>: and, *If*, saith Pope Paschal, *a Pope by his silence doth suffer the Church to be polluted with the gall of bitterness and root of impiety, he should nowise be excusable before the eternal Judge*<sup>u</sup>: and, *Error*, saith Pope Felix III. *which is not resisted*, (by those in eminent office,) *is approved*; and *truth which is not defended, is oppressed*<sup>x</sup>: and, *He is not free from suspicion of a close society in mischief, who ceaseth to obviate*

<sup>\*</sup> Cum Honorio, qui flammam heretici dogmatis, non ut decuit apostolicam auctoritatem, incipientem extinxit, sed negligendo controvit.—P. Leo II. Ep. II. [apud Bin. Tom. v. p. 385, c. 2 B.] [Mans. Conc. Tom. XI. col. 1052 A.]

<sup>t</sup> —non leve discriminum incumbit pontificibus, siluisse pro divinitatis cultu quod congruit.—P. Gelas. I. Ep. VIII. (ad Anastas. Imp.) Ibid. Tom. III. p. 631, c. 2 E.] [Mans. Conc. Tom. VIII. col. 81 c.]

<sup>u</sup> Si vero nostro silentio patremur Ecclesiam felle amaritulinis et impietatis radice pollui; qua ratione possemus apud aeternum Judicem excusari?—P. Paschal. II. Ep. III. (ad Anselm. Cant.) Bin. Tom. VII. Pars I. p. 516, c. 2 B.] [Mans. Conc. Tom. XX. col. 81 E.]

<sup>x</sup> Error enim, cui non resistitur, approbatur; et veritas, quae minime defensatur, opprimitur.—P. Felix III. Ep. I. (ad Acacium.) Bin. Tom. III. p. 596. [c. 2 D.] [Mans. Conc. Tom. VII. col. 1029 E.]

*it<sup>y</sup>: and, We, saith Pope Gregory I. do greatly offend, if we do hold our peace at things that are to be corrected<sup>z</sup>.* But all Popes since the time specified have either openly declared for this doctrine, or have been silent, and so have avowed it by tacit consent.

2 Any Pope disapproving that tenet were bound to renounce communion with those that hold and profess it; or at least to check and disown it. But on the contrary they have suffered it to be maintained in their presence and audience; and have hugged that sort of men with especial favour, as their most affectionate and sure friends: they have suspected, disowned, and frowned on those who have shewed dislike of it.

Those men, indeed, who vouch this doctrine, may reasonably be deemed to do it as accomplices with the Popes, on purpose to gratify and curry favour with them, in hopes of obtaining reward and preferment of them for it<sup>a</sup>.

3 The chief authors and most zealous abettors of these notions (Popes, Synods, Doctors of the

without any caution or mark of dislike; which is a sufficient indication of their constant adherence to this doctrine.

5 The common style of the papal edicts or Bulls doth import their sense; which is imperious, in regard to all persons without exception: *Let no man (say they) presume to infringe this our will and command, &c.*

6 Popes of all tempers and qualifications (even those who have passed for the most wise and moderate among them) have been ready to practise according to those principles, when occasion did invite, and circumstances of things did permit; interdicting princes, absolving subjects from their allegiance, raising or encouraging insurrections; as appeareth by their transactions not long since against our princes, and those of France; which shews the very See imbued with those notions.

7 They do oblige all Bishops most solemnly to avow this doctrine, and to engage themselves to practise according to it. For in the oath prescribed to all Bishops they are required to avow, that they will observe the apostolical commands with all their power, and cause them to be observed by others<sup>b</sup>; that they will aid and defend the Roman papacy and the royalties of St Peter against every man<sup>c</sup>; that they will to their power persecute and impugn heretics, schismatics, and rebels to the Pope or his successors<sup>d</sup>, without any exception;

<sup>b</sup> *Mandata apostolica totis viribus observabo, et ab aliis observari faciam.*—[Pontif. Rom. Antwerp. 1627, p. 59.]

<sup>c</sup> *Papatum Romanum et Regalia S. Petri adjutor eis ero ad retinendum et defendendum contra omnem hominem.*—[Ibid.]

<sup>d</sup> *Hæreticos, schismaticos et rebelles eidem Domino nostro vel successoribus predictis pro posse persequar et impugnabo.*—[Ibid.]

which was, I suppose, chiefly meant against their own prince, (if occasion should be;) together with divers other points, importing their acknowledgement of, and abetting the Pope's universal domination.

These horrible oaths of Bishops to the Pope do seem to have issued from the same shop with the high Hildebrandine dictates: for the oath in the *Decretals*<sup>6</sup> is ascribed to Pope Gregory, (I suppose Gregory VII.<sup>7</sup>) And in the sixth Roman Synod under Gregory VII.<sup>8</sup> there is an oath of like tenor

<sup>6</sup> *Decretal. Greg. Lib. II. Tit. xxiv. cap. 6.* [Gregorius II. Petro Subdiacono. [c. ann. 600, Romæ.] *Ponitur forma juramenti septem cap. continens, secundum quam jurant Papæ Episcopi: sed hodie omnes recipientes dignitatem a Papa sibi jurant. Hoc sit pro summaris et divisione.*

Ego N. Episcopus ab hac hora in antea fidelis ero Sancto Petro, Sanctoque Romanæ Ecclesiæ, dominoque meo Papæ C. ejusque successoribus canonice intrantibus.

Non ero neque in consilio, neque in facto, ut vitam perdat ad membrum, vel capiatur malâ captione.

Consilium, quod mihi aut per se, aut per literas, aut per nuncium manifestabit, ad ejus damnum nulli pandam.

Papatum Sancte Romanæ Ecclesiæ, et Regulas (Regalia Sancti Petri possessionesque ejus) Sanctorum Patrum adjutor ero ad defendendum, et retinendum, salvo ordine meo, contra omnes homines.



exacted from the Bishop of Aquileia; perhaps occasionally, which, in pursuance of that example, might be extended to all.

And that before that time such oaths were not imposed doth appear from hence; that when Pope Paschal II. did require them from some great Bishops, (the Bishop of Palermo, and the Archbishop of Poland,) they did wonder and boggle at it, as an uncouth novelty; nor doth the Pope, in favour of his demand, allege any ancient precedent, but only proposeth some odd reasons for it: *Thou hast signified unto us, most dear brother, that the king and his nobles did exceedingly wonder, that the pallium should be offered thee by my commissioners, with such a condition, that thou shouldest take the oath, which We had written, and they tendered to you<sup>h</sup>.*

Beato Petro, et Papæ Gregorio, suisque successoribus, qui per meliores Cardinales intraverint: non ergo (ero) in consilio, neque in facto, ut vitam aut membra, aut papatum perdant, aut capti aint mala captione. Ad Synodum, ad quam me vocabunt, vel per se, vel per suos nuntios, vel per suas literas, veniam et canonice obediam, aut, si non potero, legatos meos mittam. Papatum Romanum et Regalia S. Petri adjutor ero ad retinendum et defendendum, salvo meo ordine. Consilium vero quod mihi crediderint per se, aut per nuntios suos, sive per literas, nulli pandam me sciente ad eorum damnum. Legatum Romanum eundo et redeundo honorifice tractabo, et in necessitatibus suis adjuvabo. His quos nominatim excommunicaverint, scienter non communicabo. Romanam Ecclesiam per sæcularem militiam fideliter adjuvabo, cum invitatus fuero. Haec omnia observabo; nisi quantum sua certa licentia remanserit.—Mans. Conc. Tom. x. col. 525.]

<sup>h</sup> Significasti, frater carissime, regem et regni maiores admiratione permotos, quod pallium tibi ab apocrisiariis nostris tali conditione oblatum fuerit, si sacramentum, quod a nobis scriptum detulerant, jurares.—P. Pasch. II. Ep. vi. [ad N. Archiep. Poloniæ. Mans. Conc. Tom. xx. col. 984.] Cf. Decret. Greg. Lib. i. Tit. vi. cap. 4.

[P. Pasch. II. Ep. v. ad Archiep. Panormitanum.—Significasti

VI. All Romanists, in consistence with their principles, do seem obliged to hold this opinion concerning the Pope's universal power: For, seeing many of their standing masters and judges of controversies have so expressly from their chair declared and defined it; all the row for many ages consenting to it and countenancing it; not one of them having signified any dissent or dislike of it: and considering that, if in any thing they may require or deserve belief, it is in this point; (for in what are they more skilful and credible than about the nature of their own office? *What, saith Bellarmine wisely, may they be conceived to know better than the authority of their own see?*) seeing it hath been approved by their most great and famous Councils, which they hold universal, and which their adored Synod of Trent doth allege for such; (the Laterane under Pope Innocent III. that of Lyons under Pope Innocent IV. the other Laterane under Pope Leo X.) seeing it hath been current among their Divines of greatest vogue and authority, the great masters of their school; seeing by so large a

who disavow this notion be true sons of that mother, or faithful scholars of that mistress? How can they acknowledge any authority in their Church to be infallible, or certain, or obliging to assent? How can they admit the Pope for authentic judge of controversies, or master of Christian doctrine, or in any point credible, who hath in so great a matter erred so foully, and seduced the Christian world; whom they desert in a point of so great consideration and influence on practice; whom they, by virtue of their dissent from him in this opinion, may often be obliged to oppose in his proceedings?

How can they deny, that bad doctrines might creep in, and obtain sway in the Church, by the interest of the Pope and his clients?

How can they charge novelty or heterodoxy on those who refuse some dictates of Popes, of papal Councils, of scholastic Divines, which stand upon no better grounds than those on which this doctrine standeth?

Why hath no Synod, of the many which have been held in all parts of Christendom, clearly disclaimed this opinion; but all have let it slip, or have seemed by silence to approve it?

Yea, how can the concord and unity of that Church well consist with a dissent from this doctrine? For,

No man apprehending it false, seemeth capable with good conscience to hold communion with those who profess it: for, upon supposition of its falsehood, the Pope and his chief adherents are the teachers and abettors of the highest violation of divine commands, and most enormous sins; of

usurpation, tyranny, imposture, perjury, rebellion, murder, rapine, and all the villanies complicated in the practical influence of this doctrine.

It seemeth clear as the sun, that, if this doctrine be an error, it is one of the most pernicious heresies that ever was vented; involving the highest impiety, and producing the greatest mischief. For if he that should teach adultery, incest, simony, theft, murder, or the like crimes, to be lawful, would be a heretic; how much more would he be such that should recommend perjury, rebellion, regicide, (things inducing wars, confusions, slaughters, desolations, all sorts of injustice and mischief,) as duties!

How then can any man safely hold communion with such persons? May we not say with Pope Symmachus, that to communicate with such is to consent with them<sup>k</sup>? with Pope Gelasius, that it is worse than ignorance of the truth to communicate with the enemies of truth? and, that he who communicateth with such an heresy is worthily judged to be removed from our society<sup>l</sup>?

VII. Yet so loose and slippery are the prin-

For there is a sort of heretics (as Bellarmine and Baronius call them) sculking every where in the bosom of their Church, all about Christendom, and in some places stalking with open face, who restrain the Pope's authority so far, as not to allow him any power over sovereign princes in temporal affairs; much less any power of depriving them of their kingdoms and principalities<sup>m</sup>.

They are all branded for heretics, who take from the Church of Rome, and the see of St Peter, one of the two swords, and allow only the spiritual<sup>n</sup>. This heresy Baronius hath nominated the heresy of the politicians<sup>o</sup>.

This heresy a great nation, otherwise sticking to the Roman communion, doth stiffly maintain, not enduring the papal sovereignty over princes in temporals to be preached in it.

There were many persons, yea, Synods, who did oppose Pope Hildebrand in the birth of his doctrine, condemning it for a pernicious novelty, and branding it with the name of heresy; as we before shewed.

Since the Hildebrandine age there have been in every nation (yea, in Italy itself) divers historians, divines, and lawyers, who have in elaborate

<sup>m</sup> Altera non tam sententia, quam heres, duo docet. Primo, Pontificem, ut Pontificem et ex jure divino, nullam habere temporalem potestatem, nec posse ullo modo imperare principibus secularibus, nendum eos regnus et principatu privare.—Bell. de S. Pont. v. 1. [§ 2.]

<sup>n</sup> Hæresis errore notantur omnes qui ab Ecclesia Romana cathedra Petri, e duobus alterum gladium auferunt, nec nisi spiritualem concedunt.—Baron. Annal. Eccles. anno 1053. § 14. [Tom. xvii. p. 77.]

<sup>o</sup> Qui quidem pervicax error transiit in hæresim dictam Henricianam, communem cum politicis nostri temporis.—Annal. [ann. 1046. § 4. Tom. xvii. p. 2.]

would talk high, and assume much to himself: but when they were low, or stood in fear of powerful contradiction, even the boldest Popes would speak submissly or moderately. As, for instance, Pope Leo I. after the second Ephesine Synod, when he had to do with Theodosius II. did humbly supplicate, and whine pitifully; but after the Synod of Chalcedon, having got the Emperor favourable, and most of the Bishops complacent to him, he ranted bravely. And we may observe, that even Pope Gregory VII. who did swagger so boisterously against the Emperor Henry, was yet calm and mild in his contests with our William the Conqueror; who had a spirit good enough for him, and was far out of his reach.

And Popes of high spirit and bold face, (such as Leo I. Gelasius I. Nicholas I. Gregory II. Gregory VII. Innocent III. Boniface VIII. Julius II. Paul IV. Sixtus V. Paulus V. &c.) as they did ever aspire to screw papal authority to the highest peg; so would they strain their language in commendation of their See as high as their times would bear. But other Popes of meekness and meekness



and could not soar high ; they were not then so mad as to pretend to any temporal power, and a pittance of spiritual eminency did content them.

When the Empire was divided, they could sometimes be more haughty and peremptory<sup>1</sup> ; as being in the west, shrouded under the wing of the Emperors there, (who commonly did affect to improve their authority, in competition to that of other Bishops,) and at distance from the reach of the eastern Emperor.

The cause of Athanasius having produced the Sardican Canons, concerning the revision of some causes by the Popes, by colour of them they did hugely enlarge their authority, and raise their style ; especially in the west, where they had great advantages of augmenting their power.

When the western Empire was fallen, their influence upon that part of the Empire which came under protection of the eastern Emperors rendering them able to do service or disservice to those Emperors, they, according to the state of times, and the need of them, did talk more big or more tamely.

Pope Boniface III. having by compliance with the usurper Phocas obtained a declaration from him concerning the headship of the Roman Church, did make a considerable step forward toward the height of papal greatness.

After that Pope Gregory II. had withdrawn Italy from the oriental Empire, and Rome had grown in a manner loose and independent from other secular powers ; in the confusions of the west, the Pope interposing to arbitrate between princes,

<sup>1</sup> P. Nich. ad Imp. Mich. pp. 511, 513.

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trucking and bartering with them, as occasion served, for mutual aid and countenance, did grow in power, and answerably did advance his pretences.

The spurious Decretal Epistles of the ancient Popes (which asserted to the Pope high degrees of authority) being foisted into men's hands, and insensibly creeping into repute, did inspire the Pope with confidence to invade all the ancient constitutions, privileges, and liberties of Churches; and having got such interest every where, he might say what he pleased, no clergyman daring to check or cross him. Having drawn to himself the final decision of all causes, having got a finger in disposal of all preferments; having by dispensations, exemptions, and grants of privileges, tied to him so many dependents, what might not he say or do?

Pope Gregory VII. being a man of untameable spirit, and taking advantage from the distractions and corruptions of his times, did venture to pull a feather with the Emperor; and with success having mated him, did set up a peremptory claim to sovereignty over all persons in all causes.

*In his footstep his successor bears traddon*



authority; it having never been fixed within certain bounds, or having in several ages continued the same thing.

XI. Wherefore intending by God's help to discuss the pretended authority of the Pope, and to shew, that he, by no divine institution, and by no immutable right, hath any such power as he doth claim; by reason of this perplexed variety of opinions I do find it difficult to state the question, or to know at what distinct mark I should level my discourse.

XII. But seeing his pretence to any authority in temporals, or to the civil sword, is so palpably vain, that it hardly will bear a serious dispute, having nothing but impudence and sophistry to countenance it; seeing so many in the Roman communion do reject it, and have substantially confuted it; seeing now most are ashamed of it, and very few (even among those sects which have been its chief patrons) will own it; seeing Bellarmine himself doth acknowledge it a novelty devised about 500 years ago in St Bernard's time<sup>1</sup>; seeing the Popes themselves, whatever they think, dare now scarce speak out, and forbear upon sufficient provocation to practise according to it; I shall spare the trouble of meddling with it, confining my discourse to the Pope's authority in ecclesiastical affairs; the pretence whereto I am persuaded to be no less groundless, and no less noxious than the other to Christendom; the which

<sup>1</sup> Denique ut omittam recentiores, primi qui temporalem potestatem summo Pontifici ex Christi institutione tribuunt, videntur esse Hugo de S. Victore, et S. Bernardus, &c.—Bell. de S. Pont. v. 5. [§ 12.] *The first that yield the Pope temporal power by Christ's institution, seem to be Hugo, &c.*

being overthrown, the other, as superstructed on it, must also necessarily fall.

XIII. And here the doctrine, which I shall contest against, is that in which the cordial partisans of that See do seem to consent, which is most common and current, most applauded and countenanced in their theological Schools; which the Popes themselves have solemnly defined, and declared for standing law, or rule of jurisdiction; which their most authentic Synods (whereby their Religion is declared, and distinguished from others) have asserted or supposed; which the tenor of their discipline and practice doth hold forth; which their clergy by most solemn professions and engagements is tied to avow; which all the clients and confidents of Rome do zealously stand for, more than for any other point of doctrine; and which no man can disclaim without being deemed an enemy or a prevaricator toward the apostolic See.

XIV. Which doctrine is this, *That* (in the words of the Florentine Synod's definition) *the apostolical chair and the Roman high priest doth hold a minima cum the universal Church, and*

That (in the words of Pope Leo X. approved by the Lateran Synod) *Christ, before his departure from the world, did in solidity of the rock institute Peter and his successors to be his lieutenants, to whom it is so necessary to obey, that who doth not obey must die the death*<sup>4</sup>.

That to the Pope, as sovereign monarch, by Divine sanction, of the whole Church, do appertain royal prerogatives, (*Regalia Petri, The royalties of Peter*, they are called in the oath prescribed to Bishops). Such as these which follow:

To be superior to the whole Church, and to its representative, a general Synod of Bishops. To convocate general Synods at his pleasure; all Bishops being obliged to attend upon summons from him. To preside in Synods, so as to suggest matter, promote, obstruct, overrule the debates in them. To confirm or invalidate their determinations, giving like to them by his assent, or subtracting it by his dissent. To define points of doctrine, or to decide controversies authoritatively; so that none may presume to contest, or dissent from his dictates. To enact, establish, abrogate,

τέχειν, αὐτόν τε τὸν ῥωμαϊκὸν ἀρχιερέα διάδοχον είναι τοῦ μακαρίου Πέτρου τοῦ κορυφαίου τῶν ἀποστόλων, καὶ ἀληθῆ τοκοτηρητὴν τοῦ Χριστοῦ, καὶ πάσης τῆς ἐκκλησίας κεφαλὴν, καὶ πάντων τὸν Χριστιανὸν πατέρα τε καὶ διδάσκαλον ὑπάρχειν, καὶ αὐτῷ ἐν τῷ μακαρίῳ Πέτρῳ τοῦ ποιμαίνειν, καὶ διδύνειν, καὶ εὐθερῶν τὴν καθολικὴν ἐκκλησίαν ὑπὸ τοῦ κυρίου ἡμῶν Ἰησοῦ Χριστοῦ πλήρη ἔξουσίαν παραδεδόσθαι, καθ' ὃν τρόπον καὶ ἐν τοῖς πρακτικοῖς τῶν οἰκουμενικῶν συνόδοις, καὶ ἐν τοῖς ἱεροῖς κακόσι διαλαμβάνεται.

—Conc. Flor. Defin. [apud Bin. Tom. viii. p. 854 B. C.] [Maus. Conc. Tom. xxxi. col. 1032 B.]

<sup>4</sup> *Pastor eternus—migratus ex mundo ad Patrem, in soliditate petrae, Petrum ejusque successores vicarios suos instituit, quibus ex libri Regum testimonio ita obedire necesse est, ut qui non obedierit, morte moriatur.—P. Leo X. in Conc. Later. v. Sess. xi. [apud Bin. Tom. ix. p. 151, c. 2 E.] [Labb. et Colet. Conc. Tom. xix. col. 965 c.]*

suspend, dispense with ecclesiastical laws and canons. To relax or evacuate ecclesiastical censures by indulgence, pardon, &c. To avoid promises, vows, oaths, obligations to laws by his dispensation. To be the fountain of all pastoral jurisdiction and dignity\*. To constitute, confirm, judge, censure, suspend, depose, remove, restore, reconcile Bishops. To confer ecclesiastical dignities and benefices by paramount authority, in way of provision, reservation, &c. To exempt Colleges, Monasteries, &c. from jurisdiction of their Bishops and ordinary superiors. To judge all persons in all spiritual causes, by calling them to his cognizance, or delegating judges for them, with a final and peremptory sentence. To receive appeals from all ecclesiastical judicatories; and to reverse their judgments, if he findeth cause. To be himself unaccountable for any of his doings, exempt from judgment, and liable to no reproof. To erect, transfer, abolish episcopal Sees. To exact oaths of fealty and obedience from the Clergy. To found religious orders; or to raise a spiritual militia for propagation and defence of the Church. To summon and



*eed shall be; and that all the patriarchs do yield  
o his will'.*

That the Pope doth claim, assume, and exercise sovereignty over the Church endowed with such prerogatives, is sufficiently visible in experience of fact, is apparent by the authorized dictates in their Canon Law, and shall be distinctly proved by competent allegations, when we shall examine the ranches of this pretended authority.

In the mean time it sufficeth to observe, that in effect all clergymen do avow so much, who *bond  
de* and without prevarication do submit to take the oaths and engagements prescribed to them of course by papal appointment. For this surely, according to the Pope's meaning, (by which their obligation is to be measured,) is designed in the profession ordained by Pope Pius IV.; wherein every beneficed clergyman is enjoined to say, *And  
do promise and swear true obedience to the Roman  
Pontiff, the successor of St Peter, and the vicar of  
Jesus Christ*<sup>2</sup>. Which profession was appointed in pursuance of a sanction made by the Trent Council, that all such persons should vow and swear to bide in obedience to the Roman Church<sup>3</sup>; and consequently, how hard soever its yoke should be,

<sup>2</sup> Θέλει τὰ προνόμια πάντα τῆς ἐκκλησίας αὐτοῦ, καὶ θέλει ἔχειν τὴν ἐκ-  
κλησίαν, καὶ ιδύνειν καὶ ποιμαίνειν πάσαν τὴν ἐκκλησίαν τοῦ Χριστοῦ, ὡσπερ  
ψήσῃ τῶν προβάτων πρὸς τούτοις, ἵνα ἔχῃ ἐξουσίαν καὶ δύναμιν συγ-  
γεῖσαν σύνεδρον οἰκουμενικήν, ὅτε δεῖστε, καὶ πάντας τοὺς πατριάρχας  
είκειν τῷ θελήματι αὐτοῦ.—Conc. Flor. Sess. xxv. [apud Bin. Tom.  
ii. p. 846 B.] [Mans. Conc. Tom. xxxi. col. 1017 E.]

<sup>3</sup> Romanoque pontifici, B. Petri successori, ac Jesu Christi vi-  
rio, veram obedientiam spondeo ac juro.—Bull. Pii IV. super  
roma juram. [Magn. Bull. Rom. Tom. ii. p. 139.]

<sup>4</sup> Provisi de beneficiis—in Romanæ Ecclesie obedientia se per-  
insuros spondeant ac jurent.—Conc. Trid. Sess. xxiv. cap. 12.

tracts maintained the royal sovereignty against the pontifical<sup>P</sup>.

This sort of heretics are now so much increased, that the Hildebrandine doctrine is commonly exploded; which, by the way, sheweth, that the Roman party is no less than others subject to ~~change its~~ sentiments: opinions among them gaining and losing ~~vogue~~, according to circumstances of time and contingencies of things.

VIII. Neither are the adherents to the Roman Church more agreed concerning the extent of the Pope's authority even in spiritual matters.

For, although the Popes themselves plainly do claim an absolute supremacy in them over the Church; although the stream of divines who do flourish in favour with them doth run that way; although, according to their principles, (if they had any principles clearly and certainly fixed,) that might seem to be the doctrine of their Church: yet is there among them a numerous party, which doth not allow him such a supremacy, putting great restraints to his authority; (as we shall presently show). *And as the other party doth observe this*

*lord, and the said Roman Church, any thing to the hurt or prejudice of their persons, right, honour, state, or power; and if I shall know any such thing to be treated or agitated by any whatsoever, I will hinder it to my power; and as soon as I can will signify it to our said lord, or to some other, by whom it may come to his knowledge. The rules of the holy fathers, the apostolic decrees, ordinances, or disposals, reservations, provisions, and mandates, I will observe with all my might, and cause to be observed by others. Heretics, schismatics, and rebels to our said lord, or his foresaid successors, I will to my power persecute and oppose. I will come to a Council when I am called, unless I be hindered by a canonical impediment. I will by myself in person visit the threshold of the Apostles every three years; and give an account to our lord and his foresaid successors of all my pastoral office, and of all things anywise belonging to the state of my Church, to the discipline of my clergy and people, and lastly to the salvation of souls committed to my trust; and will in like manner humbly receive and diligently execute the apostolic commands. And if I be detained by a lawful impediment, I will perform all the things aforesaid by a certain messenger hereto specially empowered, a member of my chapter, or some other in ecclesiastical dignity, or else having a parsonage; or in default of these, by a priest of the diocese; or in default of one of the clergy, [of the diocese,] by some other secular or regular priest of approved integrity and religion, fully instructed in all things above-mentioned. And such impediment I will make out by lawful proofs to be transmitted by the foresaid messenger to the Cardinal proponent*

would talk high, and assume much to himself: but when they were low, or stood in fear of powerful contradiction, even the boldest Popes would speak submissly or moderately. As, for instance, Pope Leo I. after the second Ephesine Synod, when he had to do with Theodosius II. did humbly supplicate, and whine pitifully; but after the Synod of Chalcedon, having got the Emperor favourable, and most of the Bishops complacent to him, he ranted bravely. And we may observe, that even Pope Gregory VII. who did swagger so boisterously against the Emperor Henry, was yet calm and mild in his contests with our William the Conqueror; who had a spirit good enough for him, and was far out of his reach.

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Such is the oath prescribed to Bishops, the which is worth the most serious attention of all, who would understand how miserably slavish condition of the clergy is in that Church, and inconsistent their obligation to the Pope is their duty to their prince.

And in perusing it we may note, that the oaths in a different character are in the more ancient oath extant in the Gregorian Decretals: in which it appeareth how the Pope doth more and more enlarge his power, and straiten the bands of subjection to him. And it is very remarkable how the new oath hath changed those words, *Regulas virorum patrum* into *Regalia Sancti Petri*, i. e. the *rules of the holy fathers* into the *royalties of St Peter*. XV. I know there are within the Roman church great store of Divines, who do contract papal sovereignty within a much narrower compass, refusing to him many of those prerogatives, scarce allowing to him any of them.

*in diligentissime exequar. Quod si legitimo impedimento detentus praefata omnia adimperbo per certum nuncium ad hoc speciale istum habentem de gremio mei capituli, aut alium in dignitate iuristica constitutum, seu alias personatum habentem; aut, his mihi utibus, per dioecesanum sacerdotem; et clero deficiente omnino per alium presbyterum secularem vel regularem spectatæ probitatis rationis de supradictis omnibus plene instructum. De hujusmodi impedimento docebo per legitimas probationes ad sanctæ Ecclesiæ Cardinalem proponentem in congregazione sacri Concilii predictum nuncium transmittendas. Possessiones vero ad menem pertinentes non vendam, nec donabo neque impignorabo, nec o infeudabo vel aliquo modo alienabo, etiam cum consensu capitelis meæ, inconsulto Romano Pontifice. Et si ad aliquam alienem devenero, portas in quadam super hoc edita constitutiones eas eo ipso incurrere volo. Sic me Deus adjuvet et haec sancta vangelia.—Pontif. Rom. Antwerp. 1627. [pp. 59, 60.] Decretal. Greg. Lib. II. Tit. 24, cap. 6. [Corp. Jur. Can. II. p. 107.]*

There are those who affirm the Pope, in doctrine and discipline, subject to the Church, or to a general Synod representing it. Which opinion thwarteth a proposition, in Bellarmine's opinion, even almost an article of faith: but to be even with him, they do hold his proposition to be quite heretical: *The Pope is simply and absolutely above the universal Church;—this proposition is almost an article of faith*, saith Bellarmine<sup>d</sup>: the Cardinal of Lorrain on the contrary: *But I, saith he, cannot deny but that I am a Frenchman, and bred up in the Church of Paris, which teaches, that the Roman Pontiff is subject to a Council, and they who teach the contrary are there branded as heretics*<sup>e</sup>:

There are those who affirm the Pope, if he undertake points of faith without assistance of a general Synod, may teach heresy; (which opinion, as Bellarmine thought, doth closely border on heresy<sup>f</sup>:) and those who conceive that Popes may be and have been heretics; whence Christians sometimes are not obliged to admit their doctrine, or observe their pleasure.

There are those who maintain the Pope, no less



pense with them: and that to him attempt-  
do so obedience is not due.

here are those who maintain, that the Pope  
t subvert or violate the rights and liberties  
rticular Churches, settled in them agreeably  
ancient canons of the Church universal.

here are those who assert to general Councils  
ver of reforming the Church, without or  
st the Pope's consent.

here are those who, as Bellarmine telleth us,  
ow the Pope to be no more in the ecclesiastical  
lic than as the Duke of Venice in his senate,  
the general of an order in his congregation<sup>s</sup>;  
hat he therefore hath but a very limited and  
dinate power.

here are consequently those who conceive the  
notoriously erring, or misdemeaning him-  
o the prejudice of the Christian state, may  
lled to an account, may be judged, may  
orrected, may be discarded by a general  
d.

uch notions have manifestly prevailed in a  
part of the Roman communion, and are  
ained by most Divines in the French Church;  
hey may be supposed everywhere common,  
there is any liberty of judgment, or where  
nquisition doth not reign.

here have been seasons wherein they have so  
iled, as to have been defined for catholic  
s in great Synods, and by them to have been  
d to practice. For

[*De Conc. II. 14, § 7. Denique volunt Papam esse, in  
a id, quod est Dux Venetiarum in Republica Veneta, vel  
r generalis in aliqua religione.]*

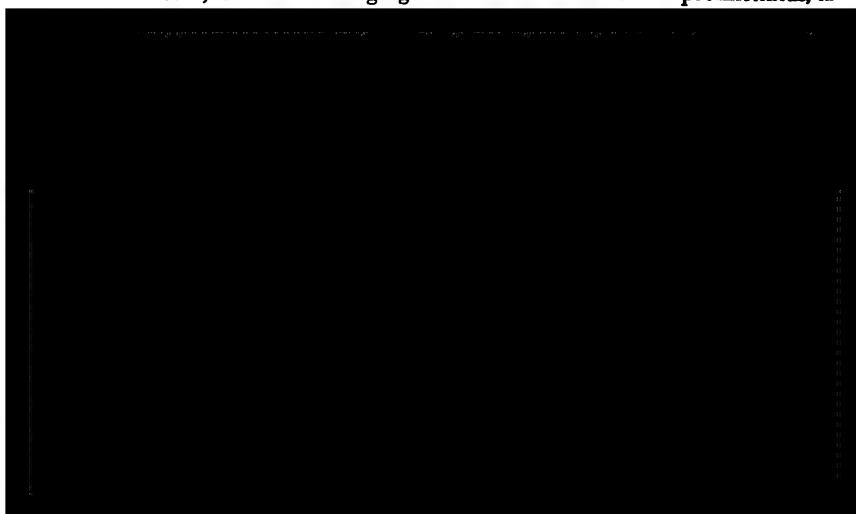
An. 1409.

In the first great Synod of Pisa it was declared, that Councils may reform the Church sufficiently both in head and members<sup>h</sup>: and accordingly that Synod did assume to judge two Popes (Gregory XII. and Benedict XIII.) contending for the papacy, (whereof one was the true Pope,) and deposing them both, did substitute Alexander V.; *Who for one year, (as Antoninus reporteth,) according to the common opinion, did hold the seat of Peter<sup>i</sup>.*

An. 1414  
—1418.

The Synod of Constance declared, that, *The Synod lawfully assembled in the Holy Ghost, making a general Council, representing the Catholic Church militant, hath immediately power from Christ; to which every one, of whatever state or dignity he be, although it be papal, is bound to obey in those things which belong to faith, and the extirpation of (the said) schism, and the general reformation of the Church of God in head and members<sup>k</sup>.*

<sup>h</sup> Conc. Pis. Sess. xvi. apud Bin. Tom. vii. p. 988. [c. 1 c.] [Archiepiscopus Pisanus...ascendit pulpitum et legit quandam schedulam——Nos omnes et singuli Episcopi, Presbyteri et Diaconi, Cardinales congregati in Civitate Pisana——promittimus, in



The which doctrine they notably put in practice, exercising jurisdiction over Popes, and for errors, misdemeanours, or contumacies, discarding three, (of whom it is hard if one were not true Pope,) and choosing another, who afterwards did pass for a right Pope, and himself did confirm the acts of that Council. (So that this semi-heresy hath at least the authority of one Pope to countenance it.) *Our most holy lord the Pope said in answer thereunto, that he would maintain and inviolably observe all and every of those things that were conciliarily determined, concluded, and decreeed, by the present Council, in matters of faith*<sup>1</sup>.

The Synod of Basil declared the same point: *That Councils are superior to Popes, to be a truth of catholic faith, which whoever doth stiffly oppose is to be accounted a heretic<sup>m</sup>: Nor (say they) did any skilful man ever doubt the Pope to be subject to the judgment of general Synods in things concerning*

time, generale Concilium faciens, Ecclesiam Catholicam militantem repræsentans, potestatem a Christo immediate habet, cui quilibet cuiuscunque status vel dignitatis, etiam si Papalis existat, obedire tenetur in his, quæ pertinent ad fidem, et extirpationem dicti schismatis, et reformationem generalem Ecclesiae Dei in capite et in membris.]—Cf. Sess. v. Ibid. p. 1005. [c. 1 r.]

<sup>1</sup> Sanctissimus Dominus noster Papa dixit, respondendo ad prædicta, quod omnia et singula determinata, conclusa et decreta in materiis (materia) fidei per præsens Concilium conciliariter tenere, et inviolabiliter observare volebat, et numquam contraire quoquo modo.—Conc. Const. Sess. XLV. apud Bin. Tom. VII. p. 1119. [c. 1 E.] [Mans. Conc. Tom. XXVII. col. 1201 B.]

<sup>m</sup> [Haec sancta Synodus definit, declarat, prout sequitur: Veritas de potestate Concilii Generalis, universalem Ecclesiam repræsentantis, supra Papam et quemlibet alterum, declarata per Constantiense et hoc Basileense generalia Concilia, est veritas fidei Catholice....cui pertinaciter repugnans, est censendus hæreticus.—Conc. Bas. Sess. XXXII. apud Bin. Tom. VIII. p. 95, c. 1 E. Mans. Conc. Tom. XXIX. col. 179 A.]

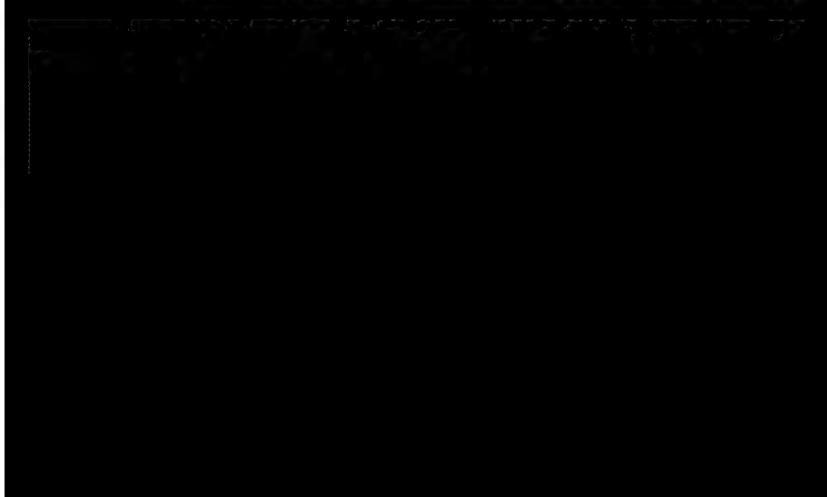
*faith<sup>n</sup>. In virtue of which doctrine, and by its irresistible authority<sup>o</sup>, the Synod did sentence and reject Pope Eugenius as criminal, heretical, and contumacious.*

These Synods, although reprobated by Popes in counter-synods, are yet by many Roman Catholic Divines retained in great veneration; and their doctrine is so current in the famous Sorbonne, that (if we may believe the great Cardinal of Lorrain<sup>p</sup>) the contrary is there reputed heretical.

XVI. Yet notwithstanding these oppositions, the former opinion averring the Pope's absolute sovereignty, doth seem to be the genuine doctrine of the Roman Church, if it hath any.

For those divines, by the Pope and his intimate confidents, are looked upon as a mongrel brood, or mutinous faction; which he by politic connivance doth only tolerate<sup>q</sup>, because he is not well able to correct or suppress them. He is afraid to be violent in reclaiming them to his sense, lest he spend his artillery in vain, and lose all his power and interest with them.

*Nor indeed do these men seem to adhere to*



conveniently break with the Pope, because his interest is twisted with their own, so as not easily to be disentangled.

For how can they heartily stick to the Pope; whenas their opinion doth plainly imply him to be an usurper and a tyrant, (claiming to himself, and exercising authority over the Church, which doth not rightfully belong to him;) to be a rebel and traitor against the Church, (invading and possessing the sovereignty due to it; for such questionless the Duke of Venice would be, should he challenge and assume to himself such a power over his Commonwealth, as the Pope hath over Christendom;) to be an impostor and seducer, pretending to infallible conduct, which he hath not?

How can they honestly condemn those who (upon such grounds) do shake off such yokes, refusing to comply with the Pope, till he correct his errors, till he desist from those usurpations and impostures, till he restore to the Church its rights and liberties?

How are the doctrines of those men consistent or congruous to their practice? For they call the Pope monarch of the Church, and universal pastor of Christians, by God's appointment, indefectibly; yet will they not admit all his laws, and reject doctrines which he teacheth, particularly those which most nearly touch him, concerning his own office and authority. They profess themselves his loyal subjects; yet pretend liberties which they will maintain against him. They hold that all are bound to entertain communion with him<sup>7</sup>; yet

<sup>7</sup> *Manifestum autem schismatis argumentum est, cum quis se communioni substrahit apostolicæ Sedia.—Balus. not. ad Agobard.*

confess that he may be heretical, and seduce into error. They give him the name and shadow of a supremacy ; but so that they can void the substance and reality thereof.

In fine, where should we seek for the doctrine of the Roman Church, but at Rome, or from Rome itself ? where these doctrines are heterodoxies.

XVII. We shall not therefore have a distinct regard to the opinion of these semi-Romanists ; nor consider them otherwise, than to confirm that part of truth which they hold, and to confute that part of error which they embrace ; allowing, at least in word and semblance, more power to the Pope than we can admit as due to him. Our discourse shall be levelled at him as such as he pretendeth himself to be, or as assuming to himself the forementioned powers and prerogatives.

XVIII. Of such vast pretences we have reason to require sufficient grounds. He that demandeth assent to such important assertions, ought to produce clear proofs of them : he that claimeth so mighty power should be able to make out a good

We cannot well be justified from a stupid easiness, in admitting such a lieutenancy to our Lord, ' we do not see exhibited to us manifest and certain patents assuring its commission to us. We should love the Church better than to yield up its liberty to the will of a pretender, upon slight or o ground. Their boldly claiming such a power, heir having sometime usurped such a power, will not excuse them or us<sup>t</sup>. Nor will precarious assumptions, or subtle distinctions, or blind traditions, or loose conjectures serve for probations in such a case.

XIX. Such demands they cannot wholly balk: therefore for satisfaction to them, not finding any better plea, they hook in St Peter; affirming that in him by our Lord there was instated a primacy over his brethren, all the Apostles and the disciples of our Lord, importing all the authority which they claim; and that from him this primacy was evolved by succession to the Bishops of Rome, y right indefectible for all future ages.

Which plea of theirs doth involve these main uppositions,

- I. That St Peter had a primacy over the Apostles.
- II. That St Peter's primacy with its rights and prerogatives was not personal, but derivable to his successors.
- III. That St Peter was Bishop of Rome.
- IV. That St Peter did continue Bishop of Rome, after his translation, and was so at his decease.

<sup>t</sup> *Nemo sibi et professor et testis est.*—Tertull. adv. Marc. lib. v. cap. 1. [Opp. p. 461 B.] *None can be both a claimer and a witness for himself.*

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V. That the Bishops of Rome (according to God's institution, and by original right derived thence) should have an universal supremacy and jurisdiction over the Christian Church.

VI. That in fact the Roman Bishops continually from St Peter's time have enjoyed and exercised this sovereign power.

VII. That this power is indefectible and unalterable.

The truth and certainty of these propositions we shall in order discuss; so that it may competently appear, whether those who disclaim these pretences are (as they are charged) guilty of heresy and schism; or they rather are liable to the imputations of arrogance and impiety who do obtrude and urge them.

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*on the names of the twelve apostles were these: the first Simon, who is called Peter<sup>a</sup>.—MATTHEW x. 2.*

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**A**MONG the modern controversies there is scarce any of greater consequence than that about universal supremacy, which the Bishop of Rome claimeth over the Christian Church; the assertion whereof on his side dependeth upon divers suppositions; namely these.

I. That St Peter by our Lord's appointment had a primacy, implying a sovereignty of authority and jurisdiction over the Apostles.

II. That the rights and prerogatives of this sovereignty were not personal, but derivable, and transmitted to successors.

III. That St Peter was Bishop of Rome.

IV. That St Peter did continue Bishop of Rome after his translation, and was so at his decease.

V. That hence of right to the Bishops of Rome, & St Peter's successors, an universal jurisdiction over the whole Church of Christ doth appertain.

<sup>a</sup> Πρῶτος Σίμων.

VI. That in fact the said Bishops continually from St Peter's time have enjoyed and exercised this power.

VII. That this power is indefectible; such as by no means can be forfeited or fail.

In order to the discussion and resolution of the first point, I shall treat upon the primacy of St Peter; endeavouring to shew what primacy he was capable of, or might enjoy; what he could not pretend to, nor did possess.

#### SUPPOSITION I.

The first supposition of those who claim universal jurisdiction to the Pope over the Church is,  
That St Peter had a primacy over the Apostles

In order to the resolution of this point, we may consider that there are several kinds of primacy, which may belong to a person in respect of others: for there are,

- I. A primacy of worth, or personal excellency.
- II. A primacy of reputation and esteem.
- III. A primacy of order, or bare dignity and

hat in quickness of apprehension, in boldness of spirit, in readiness of speech, in charity to our Lord, and zeal for his service, in resolution, activity, and industry he was transcendent, may seem to appear by the tenor of the evangelical and postolical histories; in the which we may observe him upon all occasions ready to speak first, and to make himself *The mouth*, as the Fathers speak, *of the Apostles*<sup>b</sup>, in all deliberations nimble at propounding his advice, in all undertakings forward to make the onset; being *πανταχοῦ θερμὸς*, always hot and eager, always prompt and vigorous, as St Chrysostom<sup>c</sup> often affirmeth concerning him: these things are apparent in his demeanour<sup>d</sup>, and it may not be amiss to set down some instances.

When our Lord observing the different apprehensions men had concerning him, asked the Apostles, *But whom say ye that I am?* up starteth <sup>Matt. xvi.</sup> *he, τροπηδᾷ καὶ προλαμβάνει*<sup>e</sup>, *He skippeth forth, and preventeth the rest*, crying, *Thou art the Christ, the Son of the living God.* The other Apostles were not ignorant of the point<sup>f</sup>; for they at their conversion did take Jesus for the Messias, which (even

<sup>b</sup> [Τὸ στόμα τῶν ἀποστόλων δὲ Πέτρος.—Chrys. in Matt. Hom. LIV. Opp. Tom. II. p. 343. Vid. Or. LIX. Opp. Tom. V. pp. 400, 1.]

<sup>c</sup> Chrys in Matt. Hom. LIV. Opp. Tom. II. p. 343.

<sup>d</sup> Εὐπειστροφός γάρ δεῖ πως ἦν ἀθρωπός, κεκεντρωμένος οὐ μετρίας εἰς τὴν ἐπὶ τὸ δράσαι τε καὶ εἰπεῖν προθυμίαν.—Cyrill. Alex. in Joh. xxi. 15. [Opp. Tom. IV. p. 1118 B.] *He was a very active and stirring man, exceedingly spurred on with much promptness and alacrity in doing and speaking.*

Πανταχοῦ εὐρίσκεται ἀπὸ πόθου δρμῶν.—Chrys. in Joh. Or. XII. [?]

Διὰ πάντων καὶ ἐν πάσι τὴν αὐτὴν ἐμφαίνει θερμότητα.—Chrys. Or. LIX. Opp. Tom. V. p. 401.

<sup>e</sup> Chrys. [in Matt. Hom. LIV. p. 343.]

<sup>f</sup> *Licet ceteri apostoli sciant; Petrus tamen respondet prae ceteris.*—Ambr. in Luc. Lib. VI. [Opp. Tom. I. p. 1406 A.]

John i. 42, according to the common notion of the Jews) did  
<sup>46.</sup> Matt. xxvi. imply his being the Son of God; Nathanael (that  
<sup>63.</sup> John i. 50. is, St Bartholomew, as is supposed) had in terms  
<sup>Matt. xiv.</sup> 33. confessed it; the whole company, upon seeing our  
Lord walk on the sea, had avowed it; St Peter  
before that in the name of them all had said, *ἰητές*  
John vi. 69. *πεπιστεύκαμεν, καὶ ἐγνώκαμεν, We have believed, and*  
*have known, that thou art the Christ, the Son of the*  
*living God.* They therefore had the same faith;  
but he, from a special alacrity of spirit, and expe-  
dition in utterance, was more forward to declare  
it: *He was more hot, saith St Gregory Nazianzen,*  
*than the rest at acknowledging Christ<sup>8</sup>.*

Matt. xiv. 28. When our Saviour walked on the sea, who but  
he had the faith and the courage to venture on the  
waters towards him?

John xviii. 10. When our Lord was apprehended by the  
soldiers, presently up was his spirit, and out went  
his sword in defence of him.

When our Lord predicted, that upon his coming  
into trouble all the disciples would be offended,  
Matt. xxvi. and desert him, he was ready to say, *Though all*  
<sup>33, 35.</sup> *men shall be offended because of thee, and will I*



answer was unadvised, but that it came from a genuine and fervent affection.

And at the transfiguration, he fell to proposing about making an abode there, *Not knowing what he said, μη εἰδὼς ὃ λέγει*; so brisk was he in imagination and speech. Luke ix. 33. Mark ix. 6.

Upon the good woman's report, that our Lord was risen from the dead, he first ran to the sepulchre, and so (as St Paul<sup>1</sup> implieth) did obtain the first sight of our Lord after the resurrection; such was his zeal and activity upon all occasions.

At the consultation about supplying the place of Judas, he rose up, proposed, and pressed the matter. Acts i. 15; Luke xxiv. 22, 23.

At the convention of the Apostles and Elders about resolving the debate concerning observance of Mosaical institutions, he first rose up, and declared his sense.

In the promulgation of the Gospel, and defence thereof before the Jewish rulers, he did assume the conduct, and constantly took upon him to be the speaker; the rest standing by him, implying assent, and ready to avow his word; *Peter, saith St Luke, ii. 14. standing with the rest, lifted up his voice, and said unto them; so Did they utter a common voice, saith St Chrysostom<sup>k</sup>, and he was the mouth of all.*

That in affection to our Lord<sup>1</sup>, and zeal for his service, St Peter had some advantage over the rest, that question, *Simon Peter, dost thou love me* John xxi. 15.

<sup>1</sup> Καὶ ὅτι ἀφθη Κηφᾶ, εἰτα τοῖς δεκά. — 1 Cor. xv. 5. *And that he appeared to Cephas, after that to the twelve.*

<sup>1</sup> Κοινὴ προεβάλλοντο φωνὴ, καὶ πάντων αὐτὸς ἡν τὸ στόμα. — [In Act. Or. iv. Opp. Tom. iv. p. 632.]

<sup>1</sup> Aug. in Joh. Tract. cxxxiii. [Opp. Tom. iii. col. 816 E. Hunc invenit exitum ille negator et amator — ut pro ejus nomine

*more than these?* may seem to imply: (although the words  $\pi\lambda\epsilon\iota\sigma\tau\omega\tau\omega\tau\omega$  may bear other interpretations, whereby the seeming invidiousness of the question, according to that sense, will be removed). However, that he had a singular zeal for promoting our Lord's service, and propagation of the Gospel, therein outshining the rest, seemeth manifest in the history, and may be inferred from the peculiar regard our Lord apparently did shew to him.

Upon these premises we may well admit, that St Peter had a primacy of worth; or that in personal accomplishments he was most eminent among the twelve Apostles; (although afterward there did spring up one, who hardly in any of these respects would yield to him; who could con-

<sup>1</sup> Cor. xv. <sup>10.</sup>  
<sup>2</sup> Cor. xi. <sup>23. 5;</sup>  
<sup>xii. 11.</sup> fidently say, that he did not come behind the very chief Apostles; and of whom St Ambrose<sup>m</sup> saith: *Neither was Paul inferior to Peter—being well to be compared even to the first, and second to none:* and

perfecta dilectione moreretur, cum quo se moriturum perversa festinatione promiserat.]

<sup>m</sup> *O namque locutus est Xantippus —Chrys. Or. xxiv. Opp. Tom. 1.*



at Chrysostom<sup>n</sup>, *For what was greater than Peter, and what equal to Paul?*) This is the primacy which Eusebius attributeth to him, when he calleth him *The excellent and great Apostle, who for his virtue was the prolocutor of all the rest*<sup>o</sup>.

II. As to a primacy of repute; which St Paul meaneth, when he speaketh of the *οι δοκοῦντες*, Gal. ii. 2, 6; those which had a special reputation, of those who seemed to be pillars, of the *ὑπερλίαν ἀπόστολοι*, the <sup>ii. 19.</sup> <sup>2 Cor. xi. 5; xii. 11.</sup> ipereminent Apostles; this advantage cannot be confuted him; being a necessary consequent of those eminent qualities resplendent in him, and of the lustrious performances achieved by him, beyond the rest.

This may be inferred from that advantageous renown which he hath had propagated from the beginning to all posterity.

This at least those elogies of the Fathers (styling him the chief, prince, head of the Apostles) do signify<sup>p</sup>.

This also may be collected from his being so constantly ranked in the first place, before the rest of his brethren.

III. As to a primacy of order, or bare dignity, reporting, that commonly, in all meetings and proceedings, the other Apostles did yield him the precedence, the *προηγορία*, or privilege of speaking first, (whether in propounding matters for debate, or in delivering his advice,) in the conduct and

<sup>n</sup> Τί γάρ Πέτρου μεῖζον; τί δὲ Παῦλου ἴσον;—Chrys. Or. CLXVII. pp. Tom. v. [p. 992.]

<sup>o</sup> Τὸν καρτερὸν καὶ μέγαν τῶν ἀποστόλων, τὸν ἀρετῆς ἔνεκα τῶν κατῶν ἀπάντων προήγορον.—Hist. Eccl. II. 14.

<sup>p</sup> Οἱ ἐπιφανέστατος τῶν ἀποστόλων Πέτρος.—Ath. Disp. cont. xium. [Opp. Tom. II. p. 213 d.]

moderation of affairs; that this was stated on him, may be questioned: for that this were a kind of womanish privilege; and that it doth not seem to befit the gravity of such persons, or their condition and circumstances, to stand upon ceremonies of respect; for that also our Lord's rules do seem to exclude all semblance of ambition, all kinds of inequality and distance between his Apostles; for that this practice doth not seem constantly and thoroughly to agree to his being endowed with this advantage; especially seeing all that practice which favoureth it may fairly be assigned to other causes; for that also the Fathers' authority (if that be objected, as a main argument of such a primacy) in points of this nature, not bordering on essentials of faith, is of no great strength; they in such cases speaking out of their own ingeny and conjecture; and commonly indulging their imaginations no less freely than other men.

But yet this primacy may be granted as probable, upon divers accounts of use and convenience; it might be useful to preserve order, and to promote exnedition: or to prevent confusion, distract-

14, where St Peter speaketh for the rest) *the concord of the Apostles; they yield unto him the speech, for they could not all speak: and, One, saith St Jerome<sup>1</sup>, is chosen among the twelve, that a head being appointed, an occasion of schism might be removed.*

St Cyprian<sup>2</sup> hath a reason for it somewhat more subtle and mystical, supposing our Lord did confer on him a preference of this kind to his brethren, (who otherwise in power and authority were equal to him,) that he might intimate and recommend unity to us; and the other African Doctors (Optatus<sup>3</sup> and St Austin<sup>4</sup>) do commonly harp on the same notion: I can discern little solidity in this conceit, and as little harm.

However, supposing this primacy, (at least in respect to the Fathers, who generally seem to countenance it<sup>5</sup>,) divers probable reasons may be

<sup>1</sup> *Inter duodecim unus eligitur: ut capite constituto, schismatis tolleretur occasio.*—Hier. in Jovin. i. 14. [Opp. Tom. iv. p. ii. col. 168.]

<sup>2</sup> *Cyp. Ep. lxxiii. [p. 132.] de Unit. Eccl. [p. 195.] [Super illum unum ædificat Ecclesiam suam, et illi pascendas mandat oves suas. Et quamvis Apostolis omnibus post resurrectionem suam parem potestatem tribuat et dicat, *Sicut misit me Pater*, &c. tamen ut unitatem manifestaret, unitatis ejusdem originem ab uno incipientem sua auctoritate disposuit. Hoc erant utique et ceteri Apostoli quod fuit Petrus, pari consortio prædicti et honoris et potestatis, sed exordium ab unitate proficiunt, et primatus Petro datur, ut una Christi Ecclesia et Cathedra una monstretur.]*

<sup>3</sup> *[Igitur negare non potes, scire te in urbe Roma Petro primo Cathedram episcopalem esse collatam, in qua sederit omnium Apostolorum caput Petrus; unde et Cephas appellatus est; in qua una Cathedra, unitas ab omnibus servaretur; ne ceteri Apostoli singulas sibi quisque defenderent.]*—Lib. ii. 2. p. 31.]

<sup>4</sup> *In typo unitatis.*—Aug. de Bapt. iii. 17. [Opp. Tom. ix. col. 117 c.]

<sup>5</sup> *Petrus—natura unus homo erat, gratia unus Christianus, abundantiore gratia unus idemque primus apostolus.*—Aug. in Joh. Tract. cxxiv. [Opp. Tom. iii. col. 822 c.] *Peter was by nature one*

assigned why it should especially be conferred on St Peter.

I It is probable, that St Peter was first in standing among the Apostles; I mean not that he was the first disciple, or first converted to faith in Christ; but first called to the apostolical office; or first nominated by our Lord, when out of all his disciples *He chose twelve, and called them Apostles*; <sup>Luke vi. 13, 14.</sup> *Simon, whom he called Peter, and Andrew his brother*<sup>a.</sup> <sup>18.</sup> *Mark i. 16. brother*<sup>b.</sup> He was one of the first believers at large; <sup>18.</sup> *Luke v. 3.* he was, perhaps, the first that distinctly believed our Lord's divinity; he was probably the very first Apostle, as the fittest person in our Lord's eye for that employment<sup>c.</sup>: *He, saith St Hilary, did first believe, and is the prince (or first man) of the apostleship*<sup>d.</sup>: *He, saith St Cyprian<sup>e</sup>, was the first whom the Lord chose: He, saith St Basil<sup>f</sup>, was by judgment preferred before all the disciples*: He by other ancients is called *The firstfruits of the Apostles*<sup>g</sup>: and according to this sense St

*man, by grace one Christian, by a more abundant grace one and the same prime apostle.*



Jerome<sup>6</sup>, I suppose, doth call him and his brother Andrew, *Principes apostolorum*, that is, (according to frequent usage of the word *princeps* in Latin,) *The first of the Apostles*.

So that as in divers Churches, (perhaps when time was, in all,) anciently, priority in ordination did ground a right to precedence, as it is in ours, with some exception; so might St Peter, upon this account of being first ordained Apostle, obtain such a primacy.

2 St Peter also might be the first in age; which among persons otherwise equal is a fair ground of preference: for he was a married man; <sup>Luke iv.</sup> and that before he was called, as is intimated in <sup>38.</sup> St Luke; and may be inferred from hence, that he would not have married after that he had left all, <sup>Matt. xix.</sup> and devoted himself to follow our Lord. Upon <sup>27.</sup> which account of age St Jerome did suppose, that he was preferred before the beloved disciple; *Why, saith he, was not St John elected, being a bachelor? it was deferred to age, because Peter was elder, that a youth, and almost a boy, might not be preferred before men of good age!*

I know that Epiphanius<sup>8</sup> affirmeth St Andrew to have been the elder brother; but it doth not appear whether he saith it from conjecture, or

<sup>6</sup> Απαρχὴ τοῦ Κυρίου ἡμῶν.—Clem. ad Jacob. [Clement. Cotel. Pat. Apost. Tom. I. p. 605.]

<sup>7</sup> Hier. in Jovin. I.

<sup>8</sup> Sed cur non Johannes electus est virgo? etatis delatum est, quia Petrus senior erat; ne adhuc adolescens et pene puer progressus etatis hominibus preferretur.—Hier. in Jovin. I. 14. [Opp. Tom. IV. p. ii. col. 168.]

<sup>8</sup> Μικρότερου ὥντος τοῦ Πέτρου τῷ χρόνῳ τῆς ἡλικίας.—Epiph. Hier. II. 17, [p. 440 c.] *Peter being the younger in age.*

upon any other ground: and his authority, although we should suppose it bottomed on tradition, is not great; tradition itself in such matters being very slippery, and often one tradition crossing another.

3 The most eminent qualifications of St Peter (such as we before described) might procure to him this advantage.

They might breed in him an honest confidence, pushing him forward on all occasions to assume the former place, and thence by custom to possess it; for—*qui sibi fudit, Dux regit examen<sup>h</sup>*—it being in all action, as in walking, where he that naturally is most vigorous and active doth go before the rest.

They might induce others to a voluntary concession thereof<sup>i</sup>; for to those who indisputably do excel in good qualities or abilities, honest and meek persons easily will yield precedence, especially on occasions of public concernment; wherein it is expedient that the best qualified person should be first seen.

They probably might also move our Lord himself to settle, or at least to insinuate this order:

granted or promised those gifts and privileges <sup>Matt. xvi.</sup>  
 which he meant to confer on them all; him he did <sup>19; xvii. 1</sup>  
 assume as spectator and witness of his glorious  
 transfiguration; him he picked out as companion <sup>xxvi. 37.</sup>  
 and attendant on him in his grievous agony; his <sup>John xiii.</sup>  
 feet he first washed; to him he did first discover <sup>6.</sup>  
<sup>1 Cor. xv. 5.</sup>  
 himself after his resurrection, (as St Paul im-  
 plieth,) and with him then he did entertain most <sup>John xxi.</sup>  
 discourse, in especial manner recommending to <sup>15—17.</sup>  
 him the pastoral care of his Church: by which  
 manner of proceeding our Lord may seem to have  
 constituted St Peter the first in order among the  
 Apostles, or sufficiently to have hinted his mind  
 for their direction, admonishing them by his ex-  
 ample to render unto him a special deference.

4 The Fathers commonly do attribute his priority to the merit of his faith and confession, wherein he did outstrip his brethren<sup>k</sup>: *He obtained superereminent glory by the confession of his blessed faith*, saith St Hilary<sup>l</sup>: *Because he alone of all the rest professeth his love, therefore he is preferred above all*, saith St Ambrose<sup>m</sup>.

5 Constantly in all the catalogues of the <sup>Matt. x. 1.</sup>  
 Apostles St Peter's name is set in the front; and <sup>Mark iii. 16.</sup>  
 when actions are reported, in which he was con- <sup>Luke vi. 14.</sup>

<sup>k</sup> Hil. in Matt. Com. cap. xiv. [Opp. p. 684 b.] [Et hoc in Petro considerandum est, fide eum ceteros anteisse. Nam ignorantibus ceteris, primus respondit, Tu es filius Dei vivi. Primus passionem, dum malum putat, detestatus est. Primus et moriturum se, et non negaturum spopondit. Primus lavari sibi pedes prohibuit. Gladium quoque adversus eos, qui Dominum comprehendebant, eduxit.] <sup>John xxi. 2.</sup>

<sup>l</sup> Superereminentem gloriam beate fidei sue confessione prome-  
 nit.—De Trin. Lib. vi. [Opp. p. 904 c.]

<sup>m</sup> Ideo quia solus profitetur (Joh. xxi.) ex omnibus, omnibus antefertur.—In Luc. Lib. x. [Opp. Tom. i. p. 1542 d.]

cerned jointly with others, he is usually mentioned first, which seemeth not done without careful design, or special reason.

Upon such grounds it may be reasonable to allow St Peter a primacy of order; such a one as the ringleader hath in a dance, as the primipilar centurion hath in a legion, or the prince of the senate had there, in the Roman state; at least, as among earls, baronets, &c. and others coordinate in degree, yet one hath a precedence of the rest.

IV. As to a primacy importing superiority in power, command, or jurisdiction; this by the Roman party is asserted to St Peter, but we have great reason to deny it, upon the following considerations.

1 For such a power (being of so great importance) it was needful that a commission from God, its founder, should be granted in downright and perspicuous terms; that no man concerned in duty grounded thereon, might have any doubt of it, or excuse for boggling at it: it was necessary, not only for the Apostles, to bind and warrant their obedience, but also for us, because it is made the

will be a true rule, which St Austin in one case thus expresseth: *I do believe that also on this side there would be most clear authority of the Divine oracles, if a man could not be ignorant of it without damage of his salvation*<sup>o</sup>: and Lactantius thus: *Those things can have no foundation, or firmness, which are not sustained by any oracle of God's word*<sup>p</sup>.

But apparently no such commission is extant in Scripture; the allegations for it being, as we shall hereafter shew, nowise clear, nor probably expressive of any such authority granted by God; but, on the contrary, divers clearer testimonies are producible derogating from it.

<sup>2</sup> If so illustrious an office was instituted by our Saviour, it is strange that nowhere in the evangelical or apostolical history (wherein divers acts and passages of smaller moment are recorded) there should be any express mention of that institution; there being not only much reason for such a report, but many pat occasions for it: the time when St Peter was vested with that authority; the manner and circumstances of his instalment therein; the nature, rules, and limits of such an office, had surely well deserved to have been noted, among other occurrences relating to our faith and discipline, by the holy evangelists; no one of them, in all probability, could have forborne punctually to relate a matter of so great consequence, as the

<sup>o</sup> *Illud tamen credo, quod etiam hinc divinorum eloquiorum  
darissima auctoritas esset, si homo id sine dispendio promissæ  
mutis ignorare non posset.*—*De Pec. Mer. et Rem.* ii. 36. [Opp.  
fam. x. col. 71 A.]

<sup>p</sup> *Nec ullum fundamentum aut firmitatem possunt habere, quæ  
ullis divinarum vocum fulciuntur oraculis.*—*Lact. Inst.* vii. 2.

settlement of a monarch in God's Church, and a sovereign of the apostolical college; (from whom so eminent authority was to be derived to all posterity, for compliance wherewith the whole Church for ever must be accountable;) particularly it is not credible that St Luke should quite slip over so notable a passage, who had, as he telleth us, attained a perfect understanding of all things, and had undertaken to write in order the things that were surely believed among Christians in his time; of which things this, if any, was one of the most considerable.

*Luke i. 1.*

3 The time of his receiving institution to such authority can hardly be assigned. For was it *Matt. x. 1.* when he was constituted by our Lord an *Apostle*? then, indeed, probably he began to obtain all the primacy and preeminence he ever had; but no such power doth appear then conferred on him, or at any time in our Saviour's life; at least, if it was, it was so covertly and indiscernibly, that both he himself and all the Apostles must be ignorant thereof, who a little before our Lord's passion did ~~more than once earnestly contest about supremacy~~.



his resurrection, our Lord ~~did~~ <sup>John xx.</sup> give divers  
instructions, orders, and commissions to <sup>21.</sup>  
~~Jesus~~, but it doth not appear, that he did <sup>Matt.</sup>  
peculiar grant to St Peter; for as to the <sup>xxviii. 19.</sup>  
~~of such an one drawn out of the appendix~~ <sup>Mark xvi.</sup>  
hn's Gospel, or grounded on the words  
s, we shall afterward declare that to be

St Peter had been instituted sovereign of  
political senate, his office and state had been  
and kind very distinct from the common  
he other Apostles; as the office of a king  
office of any subject; as an ordinary,  
perpetual, successive office, from one  
ly extraordinary, transitory, temporary,  
and incommunicable; (to speak accord-  
tinctions now in use, and applied to this  
ence, probably, as it was expedient to be,  
have been signified by some distinct  
title, characterizing it, and distinguishing  
others; as that of Arch-Apostle, Arch-  
High Priest, Sovereign Pontiff, Pope, his  
the Vicar of Christ, or the like; whereby

it might have appeared, that there was such an officer, what the nature of his office was, what specialty of respect and obedience was due to him: but no such name or title (upon any occasion) was assumed by him, or was by the rest attributed to him, or in history is recorded concerning him; the name of an Apostle being all that he took on him, or by others was given to him.

5 There was, indeed, no office above that of an Apostle known to the Apostles, or to the primitive Church; this, saith St Chrysostom, was the greatest authority, and the top of authorities<sup>6</sup>; there was, saith he<sup>7</sup>, none before an Apostle, none superior, none equal to him: this he asserteth of all the Apostles, this he particularly applieth to St Paul<sup>8</sup>; this he demonstrateth from St Paul himself, who purposely enumerating the chief officers instituted by God in his Church, doth place Apostles in the

Eph. iv.  
11.

highest rank; *Our Lord*, saith St Paul, *gave some Apostles, some prophets, some evangelists, some pastors and teachers*; and, *God hath set some in his Church, first Apostles, secondarily prophets, thirdly teachers*: πρῶτοι ἀπόστολοι: why not first

1 Cor. xii.  
28.



tion, the supreme officer, if such a one then  
I been? As put case, that one should un-  
take to recite the officers in any state, or re-  
blic, would he not do strangely, if he should  
stermit the king, the duke, the consul, the major  
ereof? Would not any one, confiding in the  
ill, diligence, and integrity of such a relater, be  
duced from such an omission to believe there  
as no such officer there? St Chrysostom there-  
re did hence very rationally infer, that the apos-  
tical office was the supreme in the Christian  
state, having no other superior to it.

St Peter therefore was no more than an Apo-  
stle; and as such he could have no command over  
those who were in the same highest rank co-ordi-  
nate to him, and who as Apostles could not be  
subject to any.

6 Our Lord himself, at several times, declared  
against this kind of primacy, instituting equality  
among his Apostles, prohibiting them to affect, to  
seek, to assume, or admit a superiority of power  
one above another.

*There was* (saith St Luke, among the twelve, Luke xxii.  
at the participation of the Holy Supper) *a strife*<sup>14, 24</sup>  
*among them, who of them should be accounted the*  
*greatest, τίς αὐτῶν δοκεῖ εἶναι μείζων*, or who had the  
best pretence to superiority: this strife our Lord  
presently did check and quash; but how? not by  
telling them, that he already had decided the case  
in appointing them a superior, but rather by  
assuring them, that he did intend none such to  
be; that he would have no monarchy, no exercise  
of any dominion or authority by one among  
them over the rest: but that notwithstanding any

advantages one might have before the other, (as greater in gifts<sup>v</sup>, or as preceding in any respect,) they should be one as another, all humbly condescending to one another, each being ready to yield

*Luke xxii. 25, 26.* help and service to one another; *The kings*, said

he, *of the Gentiles exercise lordship over them; and they that exercise authority over them are called benefactors: but ye shall not be so; but he that is greater (ο μείζων) among you, let him be as the younger; and he that is leader (ο ἡγούμενος), as he that doth minister;* that is, whatever privilege any of you obtaineth, let it not be employed in way of command, but rather of compliance and subserviency, as occasion shall require; let him not pretend to be a superior, but rather behave himself as an inferior: thus our Lord did smother the debate, by removing from among them whatever greatness any of them did affect or pretend to; forbidding that any of them should *κυριεύειν*, or *εξουσίειν*, exercise any dominion or authority over the rest, as worldly princes did over their subjects.

Again, upon another occasion, (as the circumstances of the place do imply,) when two of the Apostles (of special worth and consideration with our Lord, St James and St John, the sons of Zebedee) did affect a pre-eminence over the rest,

<sup>v</sup> So doth St Clemens interpret *μείζων*, alluding to this place: "Ητο τις πιστός, ητο δυνατός γνώσιν ἔχειπεν, ητο σοφός ἐν διαφράσται λόγων, ητο γοργός ἐν ἔργοις, τοσούτῳ μᾶλλον ταπεινοφροντίῳ δόκιμος, δοφεὶ δοκεῖ μᾶλλον μείζων είναι" καὶ ζητεῖν τὸ κοινωφελές πάσοις, μὴ τὸ διαντοῦ.—Ep. ad Corinth. i. 48. apud Clem. Alex. Strom. vi. [773.] *Let a man be faithful, let him be powerful in declaring knowledge, let him be wise in discovering reasons, let him be strenuous in works, by so much the more ought he to be humble-minded, by how much the more he seems to be greater than others; and to seek the common benefit of all, and not of himself.*

questing of our Lord, *Grant unto us that we may* <sup>Mark x. 37.</sup>  
*, one on thy right hand, and the other on thy left* <sup>Matt. xx.</sup>  
*and, in thy glory, (or in thy kingdom,* as St Mat-<sup>25.</sup>  
*ew hath it; that is, in that new state, which they*  
*conceived our Lord was ready to introduce;) which*  
*quest doth not seem to import any great matter*  
*of authority; nor probably did they desire so*  
*much, as our adversaries do give to St Peter; yet*  
*our Lord doth not only reject their suit, but gene-*  
*rally declarereth, that none of them were capable of*  
*such a preferment in his kingdom; which therein*  
*differed from worldly dominion, because in it there*  
*was no room for such an ambition; especially in*  
*that state of things wherein the Apostles were to*  
*be placed; which was a state of undergoing perse-*  
*cutions, not of enjoying dignity, or exercising com-*  
*mand; all the preferment which they reasonably*  
*could aspire to being to be dispensed in the future*  
*state, (whereof they were not aware,) according to*  
*God's preparation, in correspondence to the pa-*  
*tience and industry any of them should exert in*  
*God's service; (upon which account St Chrysostom<sup>”</sup>*  
*saih,) *It was a clear case that St Paul should ob-**

*tain the preference.*

It was indeed (as our Lord intimateth) incongruous for those, who had forsaken all things for Christ, who had embraced a condition of disgrace, who were designed, by self-denial, humility, neglect of temporal grandeur, wealth, and honour, by undergoing persecution, and undertaking conformity to our Lord, (being baptized with the <sup>Matt. xx.</sup>  
*baptism with which he was baptized,) to propagate <sup>22, 23.</sup>  
<sup>Mark x.</sup>  
<sup>38, 39.</sup>*

<sup>”</sup> Εδόλων δτι τῆς ἀνετάτω ἀπολαύσεται τιμῆς καὶ προεδρίας.—  
 Or. xxxiii. Opp. Tom. v. [p. 209.]

the faith of a crucified Master, to seek or take on them authoritative dignity; for among them there could not well be any need of commanding or being commanded<sup>x</sup>; it was more fit, that all of them should conspire to help and serve one another, in promoting the common design and service of their Lord, with mutual condescension and compliance; which was the best way of recommending themselves to his acceptance, and obtaining from him answerable reward. Such was the drift of our Lord's discourse; whereunto (as in the other case) he did annex the prohibition of exercising dominion;

*Matt. xx. 25, 26, 27. Ye know, saith he, that the princes of nations exercise dominion over them, and they that are great exercise authority upon them: but it shall not be so among you; but whosoever will be great among you, let him be your minister; and whosoever will be first among you, let him be your servant; ὃς εἰν θέλη, whoever among you hath a mind to special grandeur and pre-eminence, let him understand, that there is no other to be attained, beside that which resulteth from the humble performance of charitable offices to his brethren: the which whoever shall best discharge, he alone will become greatest and highest in the eye of God.*

Again, at another time, the Apostles dreaming of a secular kingdom to be erected by our Lord, disputed among themselves who should be the greatest; and for satisfaction presumed to inquire of our Lord about it; when, as they surely were very ignorant of St Peter's being their head, so there

<sup>x</sup> Τότε ἡ ἐπιστασία ἦν οὐ τιμὴ, ἀλλὰ πρόνοια τῶν ἀρχομένων, &c.—  
Chrys. in Act. i. 26. [Opp. Tom. iv. p. 625.] *Then the government was not an honour, but a provident care of the governed, &c.*

was a fair occasion as could be of our Lord's instructing them in that point, and enjoining their duty towards him; but he did not so, but rather taught him, together with the rest, not to pretend to any such thing as preferment above the rest:

*He sitting down, called the twelve, and said unto them, If any one desire to be first, the same shall be last of all, and servant of all.* How could he (considering the occasion and circumstances of that speech) in plainer terms establish equality, or disown any claim to superiority among them? Had St Peter then advanced such a plea, as they now affirm of right belonging to him, would he not thereby have depressed and debased himself to the lowest degree?

To impress this rule, our Lord then calling a *Matt. xviii.* little child, did set him in the midst of them, telling them that except they were converted, (from such ambitious pretences,) and became like little children, (wholly void of such conceits,) they could not enter into the kingdom of heaven<sup>7</sup>; that is, could not in effect be so much as ordinary good Christians; adjoining, that whosoever should humble himself as did that little child, (not affecting, or assuming more than such an innocent did,) should be greatest in the kingdom of heaven; in real worth, and in the favour of God, transcending the rest; so that St Peter, claiming superiority to himself, would have forfeited any title to eminency among Christians.

Again, as to the power which is now ascribed

<sup>7</sup> Καὶ τοῖς περὶ πρωτείων φιλονεκοῦσι γυναῖκοις μετὰ ἀπλότητος τὴν ὑπέρηφα παρεγγόν, λέγειν, ὃς τὰ παιδία αὐτοῦς γενέσθαι δεῖν.—Clem. Alex. Strom. v. p. 663. *And to those familiar friends striving for the pre-eminence, he commands equality together with simplicity, saying, that they ought to become as little children.*

to St Peter by the party of his pretended successors, we may argue from another place; where our Saviour, prohibiting his disciples to resemble the Jewish Scribes and Pharisees in their ambitions desires and practices, their affectations of pre-eminence, their assuming places and titles importing

Matt. xxiii. 8; difference of rank and authority, saith,

*But be ye not called Rabbi: for there is one Master (εἷς καθηγητής, one Guide, or Governor) of you, even Christ; but ye are brethren.* How more pregnantly could he have declared the nature of his constitution, and the relation of Christians one to another established therein, to exclude such differences of power, whereby one doth in way of domination impose his opinion or his will on others! Ye are all fellow-scholars, fellow-servants, and fellow-children of God; it therefore doth not become you to be anywise imperious over one another; but all of you humbly and lovingly to conspire in learning and observing the precepts of your common Lord; the doing which is backed with a promise

xxiii. 12. and a threat suitable to the purpose: *He that exalteth himself shall be abased; and he that will*

(absolute, uncontrollable authority;) that *τυραννικὴ προνοία*, (tyrannical prerogative<sup>a</sup>;) of which the Fathers complain; that *κατακυριεύειν τῶν κληρων*, (domineering over their charges,) which St Peter<sup>b</sup> Pet. v. 3; forbiddeth: *We, saith St Chrysostom<sup>b</sup>, were designed to teach the word, not to exercise empire or absolute sovereignty; we do bear the rank of advisers, exhorting to duty.*

A Bishop, saith St Jerome<sup>c</sup>, differeth from a King, in that a Bishop presideth over those that are willing, the king against their will; (that is, the Bishop's governance should be so gentle and easy, that men hardly can be unwilling to comply with it; but should obey, as St Peter exhorteth, *μην v. 2, 3. αναγκαστῶς, ἀλλ' ἐκουσίως, Not by constraint, but of their own accord;*) and, *Let, saith he<sup>d</sup>, the Bishops be content with their honour; let them know themselves to be fathers, not lords; they should be loved, not feared: and, Thou (saith St Bernard<sup>e</sup> to Pope Eugenius) dost superintend, the name of Bishop signifying to thee not dominion, but duty.*

At least those precepts of our Lord do exclude

<sup>a</sup> Greg. Naz. [Or. xxvi. Opp. Tom. i. p. 483 b.]

<sup>b</sup> Εἰς διδασκαλίαν λόγου προεχειρίσθημεν, οὐκ εἰς ἀρχὴν, οὐδὲ εἰς αὐθεντίαν· συμβούλων τάξιν ἐπέχομεν παραιρούντων.—In Eph. Or. xi. [Opp. Tom. III. p. 823.]

<sup>c</sup> Ille enim nolentibus præest, hic volentibus.—Hier. [Epitaph. Nepot. Opp. Tom. iv. p. ii. col. 273.]

<sup>d</sup> Ο μέντος ἐκόντων διβελῶν ἀρχεῖν, &c.—Chrys. in Tit. i. 7. [Opp. Tom. iv. p. 387.] *He ought to rule them so as they may be willing to be ruled, &c.*

<sup>e</sup> Sed contenti sint honore suo: patres se sciant esse non dominos.—Hier. Ep. xxxix. ad Theoph. cap. 3. [Opp. Tom. iv. ii. col. 339.] *Amari parentes, et Episcopus debet, non timeri.—id. cap. i. [col. 335.]*

<sup>f</sup> Inde denique superintendis, sonante tibi Episcopi nomine non minium, sed officium.—De Consid. II. 6. [Opp. Vol. I. p. 425 c.]

that power which is ascribed to St Peter over the Apostles themselves, the which, indeed, is greater than in likelihood any Pharisee did ever affect; yea in many respects doth exceed any domination which hath been claimed or usurped by the most absolute monarch upon earth; for the power of St Peter in their opinion was the same which now the Roman Bishop doth challenge to himself over the pastors and people of God's Church, by virtue of succession to him, (St Peter's power being the base of the papal, and therefore not narrower than its superstructure;) but what domination comparable to that hath ever been used in the world? What Emperor did ever pretend to a rule so wide in extent, (in regard either to persons or matters,) or so absolute in effect? Who ever, beside his Holiness, did usurp a command, not only over the external actions, but the most inward cogitations of all mankind; subjecting the very minds and consciences of men to his dictates, his laws, his censures? Who ever thundered curses and damnations on all those who should presume to dissent from his opinion or to contest his



more commonly did admit the appellation of lord, than doth the Pope<sup>a</sup>? *Our most holy lord*, is the ordinary style attributed to him by the Fathers of Trent, as if they were his slaves, and intended to enslave all Christendom to him. Who ever did exempt his clients and dependents in all nations from subjection to civil laws, from undergoing common burdens and taxes, from being judged or punished for their misdemeanours and crimes? Who ever claimed a power to dispose of all things one way or other, either directly or indirectly? to dispose even of kingdoms, to judge sovereign princes, and to condemn them, to depose them from their authority, absolving their subjects from all allegiance to them, and exposing their kingdoms to rapine? To whom but a Pope were ever ascribed prerogatives like those of judging all men, and himself being liable to no judgment, no account, no reproof or blame; so that, as a Papal Canon<sup>b</sup> assureth us: *Let a Pope be so bad, as by his negligence and maladministration to carry with him innumerable people to hell, yet no mortal man whatever must presume here to reprove his faults; because he being to judge all men, is himself to be judged of no man, except he be caughted*

<sup>a</sup> *Sanctissimus dominus noster.*—Concil. Trid. Sess. xxxii. cap. 11, &c.

<sup>b</sup> Grat. Dist. XL. cap. 6. [Corp. Jur. Can. Tom. I. p. 53. Si Papa suse et fraternæ salutis negligens, deprehenditur inutilis, et remissus in operibus suis, et insuper a bono taciturnus, quod magis officit sibi et omnibus; nihilominus innumerabiles populos ceteratim secum ducit, primo mancipio gehennæ, cum ipso plagiis multis in æternum vapulaturus (al. vapulaturos). Hujus culpas istic redarguere præsumit mortalium nullus; quia cunctos ipse judicaturus a nemine est judicandus, nisi deprehendatur a fide devius. (Ex dictis Bonifacii Martyris, c. an. 750.)]

*swerving from the faith; which is a case they will hardly suffer a man to suppose possible? To whom but to a Pope was such power attributed by his followers, and admitted by himself, that he could hear those words applying to him, *All power is given to thee in heaven and in earth*<sup>1</sup>?*

Such power the Popes are wont to challenge, and when occasion serveth do not fail to execute, as successors of St Peter<sup>k</sup>; to whom therefore consequently they ascribe it: and sometimes in express terms; as in that brave apostrophe of Pope Gregory VII. (the spirit of which Pope hath possessed his successors generally;) *Go to therefore,*

<sup>1</sup> Conc. Later. v. sub. Leone X. Sess. x. (in Orat. Archiep. Patric.) Bin. Tom. ix. [p. 133 c. 1 r.] [Arripe ergo gladium divinæ potestatis tibi traditum bis acutum, et jube, impera et manda—quodam tibi data est omnis potestas in celo et in terra.—Labb. et Col. Conc. Tom. xix. col. 927 b.]

<sup>k</sup> Excommun. Henrici Reg. Teutonic. in Conc. Rom. iii. sub Greg. VII. apud Bin. Tom. vii. P. i. [p. 484.] [Beate Petre Apostolorum Princeps, inclina quesumus pias aures tuas nobis; et audi me servum tuum quem ab infantia nutristi, et usque ad hunc diem de manu iniquorum liberasti, qui me pro tua fidelitate oderunt et odiunt. Tu mihi testis es, et Domina mea mater Dei, et B. Paulus frater tuus, et omnes Sancti, quod tua Sancta Romana Ecclesia me

(said he, directing his speech to St Peter and St Paul,) *most holy princes of the Apostles, and what I have said confirm by your authority; that now at length all men may understand, whether ye can bind and loose; that also ye can take away and give on earth, empires, kingdoms, and whatever mortal men can have*<sup>1</sup>.

Now if the assuming and exercising such powers be not that *κατακυριεύειν*, and *κατεξουσιάζειν*, that exalting one's self, that being called Rabbi, Father, Master, which our Lord prohibiteth, what is so? what then can those words signify? what could our Lord mean?

The authority therefore which they assign to St Peter, and assume to themselves from him, is voided by those declarations and precepts of our Lord; the which it can hardly be well conceived that our Lord would have proposed, if he had designed to constitute St Peter in such a supremacy over his disciples and Church.

7 Surveying particulars, we shall not find any peculiar administration committed to St Peter, nor any privilege conferred on him, which was not also granted to the other Apostles.

Was St Peter an ambassador, a steward, a minister, a vicar, (if you please,) or surrogate of Christ? So were they, by no less immediate and express warrant than he: for, *As the Father sent* John xx. 21.

<sup>1</sup> Platina in Greg. VII. p. 175. [Agite igitur apostolorum sanctissimi Principes, et quod dixi vestra auctoritate interposita consermate, ut omnes nunc demum intelligent, si potestis in celo ligare et solvere, in terra quoque, imperia, regna, principatus, et quicquid habere mortales possunt, auferre et dare nos posse.]— Cf. Conc. Rom. VII. apud Bin. Tom. VII. [pars I. p. 491 r.] [Mans. Conc. Tom. XX. col. 535 z.]

me, so also I send you, said our Lord presently before his departure; by those words, as St Cyprian<sup>or. v.</sup> remarketh, *Granting an equal power to all the Apostles*: and, We, saith St Paul, are ambassadors for Christ; we pray you in Christ's stead, be reconciled to God: and, So let a man esteem us, as the ministers of Christ, and stewards of the mysteries of God.  
 or. iv. 1. or. vi. 4.

att. xvi. Was St Peter a rock, on which the Church was to be founded? Be it so, but no less were they all; v. xxi. for the wall of Jerusalem, which came down from 14. heaven, had twelve foundations, on which were inscribed the names of the twelve Apostles of the h. ii. 20. Lamb; and, We, saith St Paul, are all built upon the foundation of the Prophets and Apostles, Christ himself being the chief corner stone: whence, Equally, saith St Jerome<sup>m</sup>, the strength of the Church is settled upon them.

'et. ii. 5. Was St Peter an architect of the spiritual house, (as himself calleth the Church?) So were also they; or. iii. for, I, saith St Paul, as a wise masterbuilder, have laid the foundation.

att. xvi. Were the keys of the Church (or of the kingdom of heaven) committed to him? So also were they unto them: they had a power to open and shut it by effectual instruction and persuasion, by dispensation of the Sacraments, by exercise of discipline, by exclusion of scandalous and heretical persons; whatever faculty the keys did import, the Apostles did use it in the foundation, guiding

<sup>m</sup> Et quamvis apostolis omnibus post resurrectionem suam rem potestatem tribuat et dicat, *Sicut, &c.*—Cypr. de Un. Eccl. [p. 195.]

<sup>n</sup> Ex quo super eos Ecclesiae fortitudo solidatur.—Hier. Jovin. I. 14. [Opp. Tom. iv. p. ii. col. 168.]

government of the Church; and did (as the hers teach) impart it to those whom they did their stead constitute to feed and govern the urch.

Had St Peter a power given him of binding loosing effectually? So had they, immediately nted by our Saviour, in as full manner, and ched in the same terms: *If thou shalt bind on* <sup>Matt. xvi.</sup> *th, it shall be bound in heaven,* said our Lord <sup>19; xviii.</sup> him; and, *Whatsoever things ye shall bind on* *th, they shall be bound in heaven,* said the same ine mouth to them<sup>o</sup>.

Had he a privilege to remit and retain sins? was then by virtue of that common grant or mise; *Whose soever sins ye remit, they shall be* <sup>John xx.</sup> *mitted; and whose soever sins ye retain, they are* <sup>23.</sup> *ined.*

Had he power and obligation to feed the sheep Christ, (all or some?) So had they indefinitely immediately; so had others by authority de- d from them; who were nominated pastors; <sup>Eph. iv. 11.</sup> had this charge laid on them: *Take heed unto* <sup>Acts xx.</sup> *rselves, and to all the flock, over which the Holy* <sup>28.</sup> *st hath made you overseers, to feed the Church* God, which he hath purchased with his own d; whom he doth himself exhort, *Feed the* <sup>1 Pet. v. 2.</sup> *t of God which is among you, taking the over-* t thereof: let feeding signify what it can, in- cion, or guidance, or governance, or all of

<sup>o</sup>Οπου γε και τοις απ' έκεινων τὸ δρχιερατικὸν κατὰ διαδοχὴν  
κεβλημένοις ἀξιώμα, τὴν αὐτὴν προσέναι τοῦ δεσμεῖν καὶ λύειν  
ίαν πιστεύομεν.—[Eulogius Archebisc. Alex.] apud Phot. Bib.  
Cod. cclxxx. p. 1600. *Those who, by succession from them,*  
the Apostles,) *were endowed with episcopal authority, we be-*  
to have the same power of binding and loosing.

them together, (*Regio more impera, if you please,* as Bellarmine<sup>p</sup> will have it,) it did appertain to their charge; to teach was a common duty, to lead and to rule were common functions; St Peter could not, nor would not appropriate it to himself; it is his own exhortation, when he taketh

<sup>2</sup> Pet. iii. 2. most upon him, *Be mindful of the commandment (or precept) of us the Apostles of the Lord and Saviour.*

Was his commission universal, or unlimited? So was theirs, by the same immediate authority:

<sup>Matt.</sup>  
<sup>xxviii. 19.</sup> for, *All power* (said he to them, when he gave his last charge) *is given to me in heaven and in earth; go therefore, and teach all nations, baptizing them, and teaching them to observe all things whatsoever*

<sup>Mark xvi.</sup> *I commanded you; and, Go ye into all the world,*  
<sup>15.</sup>  
<sup>Luke xxiv.</sup> *and preach the Gospel to every creature. They,*  
<sup>47.</sup>  
<sup>2 Cor. xi.</sup> *St Chrysostom<sup>q</sup> speaketh, were all in common in- 28*  
*trusted with the whole world, and had the care of all nations.*

Was he furnished with extraordinary gifts, with special graces, with continual directions and assistance for the discharge of the apostolical office? See

truth could say, *It hath seemed good to the Holy Ghost, and to us*; all of them did abundantly partake of that character which St Paul respected, when he did say: *The signs of an Apostle were wrought among you, in signs, and wonders, and mighty deeds.*<sup>28. 2 Cor. xii.</sup>

Did St Peter represent the Church as receiving privileges in its behalf; as the Fathers affirm?<sup>1</sup> So did they, according to the same Fathers: *If therefore (saith St Austin<sup>2</sup>), citing the famous place, Sicut me misit Pater) they did bear the person of the Church, and this was said to them, as if it were said to the Church itself, then the peace of the Church remitteth sins.*

What singular prerogative then can be imagined appertaining to St Peter? what substantial advantage could he pretend to beyond the other Apostles? Nothing surely doth appear; whatever the patrons of his supremacy do claim for him is precariously assumed, without any fair colour of proof; he for it is beholding, not to any testimony of Holy Scripture, but to the invention of Roman fancy: we may well infer with Cardinal Cusanus: *We know that Peter did not receive more power from Christ than the other Apostles; for nothing was said to Peter which was not also said to the other: therefore, addeth he, we rightly*

<sup>1</sup> *Si enim ordo Episcoporum sibi succedentium considerandus est, quanto certius et vere salubriter ab ipso Petro numeramus, cui totius Ecclesiae figuram gerenti Dominus ait, Super hanc Petram, &c.—Aug. Ep. CLXV. [Ep. LIII. Opp. Tom. II. col. 120 r.]*

<sup>2</sup> *Ergo si personam gerebant Ecclesiae, et sic eis hoc dictum est, tanquam ipsi Ecclesiae diceretur; pax Ecclesiae dimittit peccata, &c.—De Bapt. con. Don. III. 18. [Opp. Tom. IX. col. 117 r.]*

*say, that all the Apostles were equal to Peter in power<sup>t</sup>.*

8 Whereas St Peter himself did write two Catholic Epistles, there doth not in them appear any intimation, any air or savour of pretence to this arch-apostolical power. It is natural for persons endowed with unquestionable authority, (howsoever otherwise prudent and modest,) to discover a spice thereof in the matter or in the style of their writing; their mind, conscious of such advantage, will suggest an authoritative way of expression; especially when they earnestly exhort, or seriously reprove, in which cases their very authority is a considerable motive to assent or compliance, and strongly doth impress any other arguments; but no critic perusing those Epistles would smell a Pope in them. The speech of St Peter, although pressing his doctrine with considerations of this

<sup>t</sup> Pet. v. 1. nature, hath no tang of such authority: *The elders, saith he, which are among you, I exhort, who also am an elder, and a witness of the sufferings of Christ, and also a partaker of the glory that shall be revealed:* by such excellent but common advan-

of the spirit and majesty of a Pope, is in his discourse; there is no *Pagina nostræ tis et mandati*, which now is the papal when he speaketh highest, it is in the command of the Apostles, *Be mindful*, saith he, <sup>2 Pet. iii. 2.</sup> *command, τῆς ἐντολῆς* (that is, of the doctrine accepted) *of us, the Apostles of the Lord and us.*

In the apostolical history, the proper place of exercising this power, (*Wherein, as St Chrysostom saith, we may see the predictions of Christ, he uttered in the Gospels, reduced to act, and in them of them shining in the things themselves,*) step thereof doth appear.

cannot there discern, that St Peter did any extraordinary authority, or that any place by his brethren was rendered to him, as governor or judge. No instance there doth of his laying commands on any one Apostle, exercising any act of jurisdiction upon any one; her to the contrary, divers passages are observed, which argue, that he pretended to no such thing, and that others did not understand such thing belonging to him.

temper, indeed, and zeal commonly did him to be most forward in speaking and upon any emergency for the propagation or advance of the Gospel; and the memory of particular charge which our Lord departing specially put on him, strongly might instigate

γὰρ τὰς προφῆτες, ἃς ἐν τοῖς εὐαγγελίοις δὲ Χριστὸς προανέτας εἰς ἄργον ἐξελθούσας ἐνταῦθα ἔστιν οὖτιν, καὶ ἐπ' αὐτῶν τῶν διαλάμπουσαν τὴν ἀλήθειαν.—In Act. i. 1. [Opp. Tom. iv.

him thereto<sup>2</sup>; regard to his special gifts and sufficiency did incline the rest willingly to yield that advantage to him; and perhaps because, upon the considerations before touched, they did allow some preference in order to him; but in other respects, as to the main administration of things, he is but one among the rest<sup>1</sup>, not taking upon him in his speech or behaviour beyond others. All things are transacted by common agreement, and in the name of all concurring; no appeal in cases of difference is made singly to him; no peremptory decision or decree is made by him; no orders are issued out by him alone, or in a special way; in ecclesiastical assemblies he acteth but as one member; in deliberations he doth only propound his opinion, and passeth a single vote; his judgment and practice are sometime questioned, and he is put to render an account of them: he doth not stand upon his authority, but assigneth reasons to persuade his opinion, and justify his actions<sup>3</sup>; yea sometimes he is moved by the rest, receiving orders and employment from them: these things we may discern by considering the instances which follow.

In the designation of a new Apostle, to supply <sup>Acts i. 5—</sup><sup>26</sup> the place of Judas, he did, indeed, suggest the matter, and lay the case before them; he first declared his sense; but the whole company did choose two<sup>a</sup>, and referred the determination of one to lot, or to God's arbitration.

At the institution of Deacons, the twelve did <sup>vi. 2;</sup> call the multitude of disciples, and directed them to elect the persons; and the proposal being acceptable to them, it was done accordingly: *They chose Stephen<sup>b</sup>, &c. whom they set before the Apostles, and when they had prayed, they laid their hands on them.*

In that important transaction about the observance of Mosaical institutions, a great stir and debate being started, *γενομένης στάσεως καὶ συζητήσεως οὐκ ὀλίγης*, which St Paul and St Barnabas by disputation could not appease, what course was then taken? did they appeal to St Peter, as to the supreme dictator and judge of controversies? Not so; but they sent to the Apostles and Elders at <sup>xv. 2;</sup> Jerusalem, to inquire about the question: when those great messengers were arrived there, they <sup>xv. 4.</sup> were received by the Church, and the Apostles, and Elders; and having made their report, the Apostles <sup>ver. 6.</sup> and Elders did assemble to consider about that matter. In this assembly, after much debate passed, <sup>ver. 7.</sup> and that many had freely uttered their sense, St Peter rose up, with apostolical gravity, declaring what his reason and experience did suggest conducing to a resolution of the point; whereto his

<sup>a</sup> Καὶ ἀστησαν δύο.—*Acts i. 23.*

<sup>b</sup> Καὶ ἤρεσεν δὲ λόγος ἐνώπιον παντὸς τοῦ πλήθους· καὶ ἐξελέξαντο Στέφανον.—*Acts vi. 5.*

Acts xv.  
13—19.

words might, indeed, be much available, growing not only upon common reason, but upon ~~the~~ revelation concerning the case; whereupon James, alleging that revelation, and backed with reason drawn from Scripture, with authority pronounceth his judgment: *These* saith he, *I judge*, (that is, saith St Chrysostom authoritatively say,) *that we trouble not them*, *from among the Gentiles are turned to God*; *that we write unto them*, &c. And the result is, that according to the proposal of St James, it was by general consent determined to send a decree letter unto the Gentile Christians, containing canon, or advice directive of their practice in <sup>vers. 22, 23.</sup> case: *It then seemed good to* (or was decreed *the Apostles and Elders, with the whole Church* send—and the letter ran thus: *The Apostles, Elders, and Brethren, to the brethren of the Gentiles*. Now in all this action, (in this leading precedent for the management of things in ecclesiastical synods and consistories,) where can the sharp sight descry any mark of distinction or preference which St Peter had in respect to the



St James, to whom, (saith St Chrysostom<sup>1</sup>), as Bishop of Jerusalem the government was committed. Did he offer to curb or check any man, or to restrain him from his liberty of discourse there? No; there was much disputation, every man frankly speaking his sense. Did he more than use his freedom of speech becoming an Apostle, in arguing the case and passing his vote? No; for in so exact a relation nothing more doth appear. Did he form the definitions, or pronounce the decree resulting? No; St James rather did that; for (as an ancient Author saith) *Peter did make an oration, but St James did enact the law*<sup>2</sup>. Was, beside his suffrage in the debate, any singular approbation required from him, or did he by any Bull confirm the decrees? No such matter; these were devices of ambition, creeping on and growing up to the pitch where they now are. In short, doth any thing correspondent to papal pretences appear assumed by St Peter, or deferred to him? If St Peter was such a man as they make him, how wanting then was he to himself, how did he neglect the right and dignity of his office, in not taking more upon him, upon so illustrious an occasion, the greatest he did ever meet with! How defective also were the apostolical college, and the whole Church of Jerusalem, in point of duty and decency, yielding

<sup>1</sup> Ιάκωβος δὲ ἀδελφὸς τοῦ Κυρίου τὴν ἐκκλησίαν τότε ἐπεσκόπευεν ἡ  
αρχῇ, τὴν ἐν Ἱερουσαλύμοις, καὶ τὸν ἐξ Ἰουδαίων πιστευσάντων προει-  
τῆς τάντων.—Or. lxx. Opp. Tom. v. [p. 405.]

<sup>2</sup> Εκίνος γὰρ ἦν τὴν ἀρχὴν ἐγκεκειρισμένος.——Ἐξ ἀρχῆς σφοδρό-  
τερον μὲν δὲ Πέτρος διελέγετο· οὗτος δέ ημεράτερον. οὗτος ἀεὶ χρὴ τὸν  
μηδὴ δυναστείᾳ ποιεῖν.—Id. [in Act. Or. lxxviii. Opp. Tom. iv.  
p. 797].

<sup>1</sup> Πέτρος δημιγορεῖ, ἀλλ' Ιάκωβος νομοθετεῖ.—Hesych. Presbyt.  
apud Phot. Biblioth. Cod. oclxxv. [p. 1525.]

no more deference to their sovereign, the vicar of their Lord! Whatever account may be framed of these defailances, the truth is, that St Peter then did know his own place and duty better than men do know them now; and the rest as well understood how it became them to demean themselves. St Chrysostom's reflections on those passages are very good; that, indeed, then there was no ~~fasti~~ousness in the Church, and the souls of those primitive Christians were clear of vanity<sup>g</sup>; the which dispositions did afterward spring up and grow rankly to the great prejudice of Religion, begetting those exorbitant pretences which we now disprove.

Again, when St Peter, being warned from <sup>Acts xi. 12;</sup> heaven<sup>h</sup> thereto, did receive Cornelius, a Gentile soldier, unto communion; divers good Christians, who were ignorant of the warrantableness of that proceeding, (as others commonly were, and St Peter himself was, before he was informed by that special revelation,) did not fear διακρίνεσθαι πρὸς αὐτὸν, to contest with him about it; (not having any notion,

not browbeating those audacious contenders with his authority, but gently satisfying them with reason. But if he had known his power to be such, as now they pretend it to be, he should have done well to have asserted it, even out of good-will and charity to those good brethren<sup>1</sup>; correcting their error, and checking their misdemeanour; shewing them what an enormous presumption it was so to contend with their sovereign pastor and judge.

Further; so far was St Peter from assuming command over his brethren, that he was upon occasion ready to obey their orders; as we may see by that passage, where, upon the conversion of divers persons in Samaria, it is said, that *The Apostles* Acts viii. <sup>14.</sup> *hearing it, did send to them Peter and John, who going down, prayed for them, that they might receive the Holy Ghost.* The Apostles sent him: that, had he been their sovereign, would have been somewhat unseemly and presumptuous; for subjects are not wont to send their prince, or soldiers their captain; to be sent being a mark of inferiority, as our Lord himself did teach; *A servant, said he, John xiii.* <sup>16.</sup> *is not greater than his lord; nor he that is sent greater than he that sent him.* St Luke therefore should at least have so expressed this passage, that the Apostles might have seemed to keep their distance, and observed good manners: if he had said, they beseeched him to go, that had sounded well; but they sent him is harsh, if he were *Dominus Noster Papa*, as the modern Apostles of Rome do

<sup>1</sup> *Ita ut et Petrus quoque timens ne culparetur ab ipsis.—Iren. III. 12, [p. 200.] N.* In the matter at Antioch, St Peter did comply with St James and the Judaizers, which did not beseem such authority.

style their Peter. The truth is, then among Christians there was little standing upon punctilio; private considerations and pretences to power then took small place; each one was ready to comply with that which the most did approve; the community did take upon it to prescribe unto the greatest persons, as we see again in another instance, *Acts xv. 2.* where the brethren at Antioch did appoint Paul and Barnabas<sup>m</sup> (the most considerable persons among them) to go up unto Jerusalem. They were then so generous, so merciful, so full of charity, as rather than to cause or foment any disturbance, to recede, or go whither the multitude pleased, and do what was commanded by it<sup>n</sup>.

10 In all relations which occur in Scripture about controversies incident of doctrine or practice, there is no appeal made to St Peter's judgment, or allegation of it as decisive; no argument is built on his authority: dissent from his opinion, or disconformity to his practice, or disobedience to his orders, are not mentioned as ground of reproof, as aggravation of any error, any misdemeanour,

~~any discordance which were more strange, if then be~~

tual way to confute any error, or check any disorder, had been to allege the authority of St Peter against it; for who then could have withstood so mighty a prejudice against his cause? If now a question doth arise about any point of doctrine, instantly the parties (at least some one of them, which hopeth to find most favour) hath recourse to the Pope to define it; and his judgment, with those who admit his pretences, proveth sufficiently decisive, or at least greatly swayeth in prejudice to the opposite party. If any heresy, or any opinion disagreeing from the current sentiments, is broached, the Pope presently doth roar, that his voice is heard through Christendom, and thundereth it down: if any schism or disorder springeth up, you may be sure that Rome will instantly meddle to quash it, or to settle matters as best standeth with its principles and interests: such influence hath the shadow of St Peter's authority now: but no such regard was then had to poor Pope Peter himself; he was not so busy and stirring in such cases: the Apostles did not send heretics to be knocked down by his sentence, nor schismatics to be scourged by his censure; but were fain to use the long way of disputation, striving to convince them by testimonies of Scripture, and rational discourse. If they did use authority, it was their own; which they challenge as given to them by <sup>2 Cor. xiii.</sup> Christ for edification, or upon account of the more <sup>10; x. 8;</sup> <sup>xii. 21.</sup> than ordinary gifts and graces of the Divine Spirit, <sup>1 Cor. iv. 2.</sup> <sup>2 Thess. iii.</sup> conferred on them by God. St Peter nowhere <sup>14.</sup> <sup>1 Cor. vii.</sup> doth appear intermeddling as a judge or governor <sup>25, 40.</sup> <sup>1 Thess. iv.</sup> paramount in such cases; yea, where he doth <sup>8.</sup> himself deal with heretics and disorderly persons,

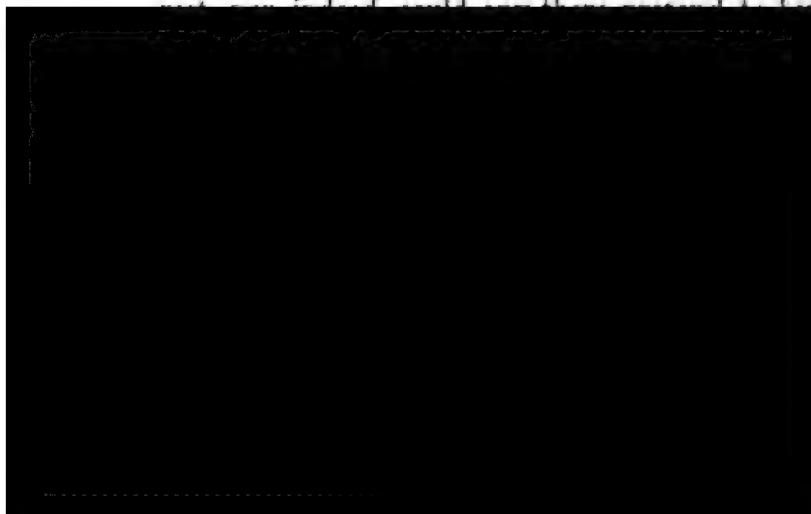
confuting and reproving them, (as in his second Epistle he dealeth with divers notoriously such he proceedeth not as a Pope decreeing, but as : A postle warning, arguing, and persuading against them.

11 It is particularly remarkable how St Paul reproving the factions which were among Christians at Corinth, doth represent the several parties, sa-

<sup>1 Cor. i. 12.</sup> *I am of Paul, I am of Apollos, I am of Cepha*

<sup>iii. 21.</sup> *I am of Christ.* Now supposing the case then has been clear and certain, (and if it were not so then how can it be so now?) that St Peter was sovereign of the Apostles, is it not wonderful that an Christian should prefer any Apostle or any preacher before him<sup>o</sup>? as if it were now clear and generall acknowledged that the Pope is truly what he pretendeth to be, would any body stand in competition with him, would any glory in a relation to another minister before him?

If it be replied, that Christ himself did come into the comparison; I answer, that probably no man was so vain, as to compare him with th-



shewing that all, indeed, were of Christ, the Apostles being only his ministers, to work faith and virtue in them: *None, saith St Austin, of those contentious persons were good, except those who said, But I am of Christ*<sup>p</sup>.

We may also here observe, that St Paul, in reflecting upon these contentions, had a fair occasion of intimating somewhat concerning St Peter's supremacy, and aggravating their blameable fondness, who compared others with him.

12 The consideration of the Apostles' proceeding in the conversion of people, in the foundation of Churches, and in administration of their spiritual affairs, will exclude any probability of St Peter's jurisdiction over them.

They went about their business, not by order or license from St Peter, but according to special instinct and direction of God's Spirit, (being sent forth by the Holy Ghost; going by revelation<sup>q</sup>,) or according to their ordinary prudence, and the habitual wisdom given unto them; by those aids (without troubling St Peter or themselves more) they founded societies, they ordained pastors, they framed rules and orders requisite for the edification <sup>1 Cor. vii. 17; xi. 34; xvi. 1.</sup> and good government of Churches, reserving to themselves a kind of paramount inspection and <sup>Tit. i. 5. 1 Thess. ii. 7, 11.</sup> jurisdiction over them; which in effect was only <sup>1 Cor. vii. 17; xi. 34; xvi. 1.</sup> *πατρικὴ ἐπιμέλεια, a paternal care* over them; which they particularly claimed to themselves upon account of spiritual parentage, for that they had

<sup>p</sup> *Falsum est quod isti boni erant, exceptis eis qui dicebant, Ego autem Christi.*—Con. Crescon. I. 27. [Opp. Tom. ix. col. 404 E.]

<sup>q</sup> *Ἐκπεμφθέντες ἵππο τοῦ πνεύματος ἀγίου.*—Acts xiii. 4, 2; xvi. 6, 9. *Kat' ἀποκάλυψιν.*—Gal. ii. 2.

<sup>1 Cor. ix. 2.</sup> begotten them to Christ; *If*, saith St Paul to the <sup>Acts xviii.</sup> *Corinthians, I am not an Apostle to others, I am*  
<sup>1.</sup> *however so to you: why so? because he had con-*  
<sup>1 Cor. iv.</sup> *verted them, and could say: As my beloved sons I*  
<sup>14, 15.</sup> <sup>Gal. iv. 19.</sup> *warn you: for though ye have ten thousand instruc-*  
*ers in Christ, yet ye have not many fathers: for in*  
*Christ Jesus I have begotten you through the Gospel.*  
This paternal charge they did exercise without any dependence or regard to St Peter, none such appearing, it not being mentioned that they did ever consult his pleasure, or render him an account of their proceedings; but it rather being implied in the reports of their actions, that they proceeded absolutely, by virtue of their universal office and commission of our Lord.

If it be alleged, that St Paul went to Jerusalem to St Peter: I answer, that it was to visit him' out of respect and love; or to confer with him for mutual edification and comfort; or at most to obtain approbation from him and the other Apostles, which might satisfy some doubters, but not to receive his commands or authoritative instructions from him: it being, as we shall afterwards see, the

plots, having no need at all of Peter, or of his course, but being in dignity equal to him, (for I'll now say no more,) he yet doth go up to him, as one greater and ancienter; and a sight alone of Peter is the cause of his journey thither:—and, he went, saith he again, not to learn any thing of him, nor to receive any correction from him, but for his only, that he might see him, and honour him with his presence. And, indeed, that there was no such deference of the Apostles to St Peter, we may hence reasonably presume, because it would then have been not only impertinent and needless, but inconvenient and troublesome. For,

13 If we consider the nature of the Apostolical office, the state of things at that time, and the manner of St Peter's life; in correspondence to those things, he will appear uncapable, or unfit, to manage such a jurisdiction over the Apostles as they assign him.

The nature of the apostolical ministry was such, that the Apostles were not fixed in one place of residence, but were continually moving about the world, or *in procinctu*, ready in their gears to move whither divine suggestions did call them, or <sup>Cor. xi.</sup><sup>25</sup> far occasion did invite them, for the propagation or furtherance of the Gospel<sup>t</sup>.

The state of things was not favourable to the Apostles, who were discountenanced and disgraced, persecuted, and driven from one place to another,

<sup>1</sup> Επειδὴ γὰρ ἡμελλον τῆς οἰκουμένης τὴν ἐπιτροπὴν ἀναδέξασθαι, οὐδὲ συνιεπελέχθαι λοιπὸν ἀλλήλοις. οὐ γὰρ ἀν μεγάλη τοῦτο τῇ οἰκουμένῃ γέγονε ζημία.—Id. in Joh. xxi. 23. [Opp. Tom. II. p. 929.] *For seeing they were to take upon them the inspection and superintendency of all the world, it behoved them not any longer to be mixed or joined together, for this had been a great loss and hinderance to the world.*

<sup>1</sup> Cor. iv. 9. (as our Lord foretold of them;) Christians lay scattered about at distant places, so that opportunities  
<sup>2</sup> Cor. iv. 8: of despatch for conveyance of instructions from  
vi. 4 xii. 25.  
Matt. xxiv. 9.  
Luke xxi. 12.  
Col. i. 6.  
<sup>23</sup> Rom. x. 18. (as our Lord foretold of them;) Christians lay scattered about at distant places, so that opportunities of despatch for conveyance of instructions from him, or of accounts to him, were not easily found: St Thomas preaching in Parthia, St Andrew in Scythia, St John in Asia<sup>1</sup>, Simon Zelotes in Britain, St Paul<sup>2</sup> in many places; other Apostles and apostolical men in Arabia, in Ethiopia, in India, in Spain, in Gaul, in Germany<sup>3</sup>, in the whole world, and in all the creation under heaven, as St Paul speaketh, could not well maintain correspondence with St Peter; especially considering the manner of his life, which was not settled in any one known place, but moveable and uncertain: for he continually roved over the wide world, preaching the Gospel, converting, confirming, and comforting Christian people, as occasion starting up did induce: how then could he conveniently dispense all about his ruling and judging influence? how in cases incident could direction be fetched from him, or reference be made to him by those subordinate governors<sup>4</sup>, who could not easily know where to come at him, or whence to hear from him

shoot at rovers; affairs therefore which should pend on his resolution and orders must have d great stops; he could but very lamely have ecuted such an office; so that his jurisdiction ust have been rather an extreme inconvenience d encumbrance, than anywise beneficial or useful the Church.

14 It was, indeed, most requisite, that every apostle should have a complete, absolute, inde-  
endent authority in managing the concerns and  
ties of his office; that he might not anywise be  
obstructed in the discharge of them; not clogged  
with a need to consult others, not hampered with  
orders from those who were at distance, and could  
not well descry what was fit in every place to be  
done. The direction of him who had promised to  
be perpetually present with them, and by his Holy Mat. xxviii.  
spirit to guide, to instruct, to admonish them upon <sup>20.</sup> John xvi.  
ll occasions, was abundantly sufficient; they did <sup>13; xiv. 26.</sup>  
ot want any other conduct or aid beside that spe-  
ial light and powerful influence of grace, which  
hey received from him; the which *ικανωσεν αὐτοὺς*,  
id, as St Paul speaketh, render them sufficient <sup>2 Cor. iii. 5,</sup>  
ministers of the New Testament. Accordingly their <sup>6.</sup> Rom. xv.  
iscourse and practice do thoroughly savour of <sup>15, 16.</sup>  
uch an independence; nor in them is there any  
ppearance of that being true, which Bellarmine  
llectateth, that *The Apostles depended on St Peter,*  
*as on their head and commander*<sup>a</sup>.

15 Particularly the discourse and behaviour  
f St Paul towards St Peter doth evidence, that he  
did not acknowledge any dependence on him, any

<sup>a</sup> A quo illi tanquam a capite et imperatore suo pendebant.  
—De S. Pont. I. 16. [§ 18.]

subjection to him. St Paul doth often purpose to assert to himself an independent and absolute power, inferior or subordinate to none other, insisting thereon for the enforcement or necessary defence of his doctrine and practice; (*I have been*  
<sup>2 Cor. xii.</sup> *come a fool in glorying; ye have compelled me*  
<sup>11.</sup> *to labour under you*  
<sup>Rom. xi.</sup> *saith he;*) alleging divers pregnant arguments to prove and confirm it, drawn from the manner of his call, the characters and warrants of his office, the tenor of his proceedings in the discharge of it, the success of his endeavours, the approbation and demeanour toward him of other Apostles.

As for his call and commission to the Apostolical office, he maintaineth, (as if he meant designedly to exclude those pretences, that other Apostles were only called *in partem solicitudinis*<sup>b</sup> with St Peter,) that he was *An Apostle, not from men, nor by man, οὐκ ἀπὸ ἀνθρώπων, οὐδὲ ὀπίσθιαν, but by Jesus Christ, and God the Father;* that is, that he derived not his office immediately or mediately from men, or by the ministry of any man, but immediately had received the grant and charge thereof from our Lord: as indeed the history



by Christ he had received grace and Apostle. Rom. i. 5.

or the warrant of his office, he doth not allege  
allowance of St Peter, or any other, but those  
all gifts and graces which were conspicuous in  
and exerted in miraculous performances:

*I, saith he, the signs of an Apostle were wrought* <sup>2 Cor. xii. 12.</sup>  
*g you in all patience, in signs, and wonders,*  
*mighty deeds; and, I will not dare to speak of* <sup>Rom. xv. 18, 19.</sup>  
*f those things which Christ hath not wrought* <sup>1 Cor. ii. 4.</sup>  
*, to make the Gentiles obedient, by word and*  
*through mighty signs and wonders, by the*  
*of the Spirit of God.*

the same purpose he allegeth his successful  
try in converting men to the Gospel; *Am I* <sup>1 Cor. ix. 1, 2.</sup>  
*an Apostle?* saith he; *Are ye not my work in*  
*word?* *If I am not an Apostle to others, I am*  
*one to you: for the seal of mine Apostleship*  
*is in the Lord; and, By the grace of God I* <sup>1 Cor. xv. 10.</sup>  
*hat I am: and his grace which was on me* <sup>2 Cor. xi. 23.</sup>  
*is not in vain; but I laboured more abun-*  
*than they all.*

the discharge of his office, he immediately,  
that he had received his call and charge  
(our Saviour,) without consulting or taking  
e from any man, did vigorously apply himself  
e work: *Immediately, saith he, I conferred* <sup>Gal. i. 16, 17.</sup>  
*ith flesh and blood: neither went I up to Jeru-*  
*to them that before me were Apostles: so little*  
*e take himself to be accountable to any man.*  
settling order, and correcting irregularities  
Church, he professed to act merely by his  
authority, conferred on him by our Lord:  
*fore, saith he, being absent, I write these* <sup>2 Cor. xiii. 10; x. 8.</sup>

*things, that being present I may not use severity, according to the authority which the Lord hath given me for edification, not for destruction.*

Such being the privileges which he did assert to himself with all confidence, he did not receive for it any check from other Apostles; but the chief  
 l. ii. 9. of them, knowing the grace that was given unto him, gave unto him the right hand of fellowship; in token of their acknowledgment and allowance of his proceedings.

Upon these considerations (plainly signifying his absolute independence in the reception and execution of his office) he doth more than once  
 or. xi. 5; affirm (and in a manner boast) himself to be inferior in nothing to the very chief Apostles: in nothing; that is, in nothing pertinent to the authority or substantial dignity of his place; for as to  
 l. ii. 11. his personal merit, he professeth himself much less  
 or. xv. than the least of the Apostles; but as to the  
 h. iii. 8. authenticity and authority of his office, he deemed  
 or. xv. himself equal to the greatest; being by the grace  
 h. iii. 7. of God what he was; a minister of the Gospel,  
 according to the gift of the grace of God, which  
 was given him according to the effectual working  
 or. xi. 5. of his power. When he said he was behind none,  
 he could not forget St Peter; when he said none  
 of the chief, he could not but especially mean him;  
 (he did, indeed, as St Chrysostom<sup>o</sup> saith, intend to  
 compare himself with St Peter;) when he said in  
 nothing, he could not but design that which was  
 most considerable, the authority of his place; which  
 in the context he did expressly mention. For when

\* Πρὸς τοὺς περὶ Πέτρον ποιούμενος τὴν σύγκρισιν.—[In 2 Cor. xi.  
 5. Opp. Tom. III. p. 668.]

objected to himself the semblance of fondness or  
rogance in speaking after that manner, he de- <sup>2 Cor. xii.</sup>  
sired that he did not speak rashly or vainly, but <sup>11; xi. 16,</sup>  
<sup>17.</sup> on serious consideration<sup>1</sup>, and with full assurance,  
judging it very needful or useful to maintain his  
authority, or to magnify his office, as he otherwhere <sup>Rom. xi.</sup>  
teaketh. If things had been as now we are taught <sup>13.</sup>  
on the Roman school, it is strange that St Paul  
should compare himself so generally, not excepting  
Peter; that he should express (nor by the least  
such intimate) no special consideration for his,  
they tell us, *ordinary pastor<sup>8</sup>*; that he should  
not consider how liable such words were to be inter-  
preted in derogation to St Peter's due prerogatives.

But it is no wonder that St Paul, in St Peter's absence, should thus stand on his own legs, not seeming to mind him, when as in immediate transactions with him he demeaned himself as his fellow, yielding to him no respect or deference, as to his superior. For, when St Paul went to Jerusalem, to have conference with St Peter and other apostles, who were chief in repute, he professeth Gal. ii. 2. that they did not confer any thing to him, so as to change his opinion, or divert him from his ordinary course of practice, which was different from theirs: his was (it seemeth) hardly proper or seemly for him to say, if St Peter had been his sovereign: but he seemeth to say it on very purpose, to exclude any prejudice that might arise to his doctrine from their authority or repute; their authority

<sup>1</sup> Κατὰ προδιέρθωσιν.

<sup>8</sup> Bell. de S. Pont. I. II. [§ 8.] [Illi enim habuerunt summamque amplissimam potestatem ut Apostoli seu legati, Petrus autem est pastor ordinarius.]

being none over him, their repute being impertinent to the case; for, *Whatsoever, addeth he, they*  
 l. ii. 6; *were, it maketh no matter to me; God respecteth no*  
*man's person: the which might well be said of*  
*persons greater in common esteem, but not so well*  
*of one who was his superior in office; to whose*  
*opinion and conduct, as of his judge and pastor by*  
*God's appointment, he did owe a special regard.*

Again, St Paul at Antioch, observing St Peter  
 11—14. out of fear and policy to act otherwise than became  
 the simplicity and sincerity of Christians, to the  
 prejudice of evangelical truth, charity, and liberty,  
 against his own judgment and former practice,  
 drawing others by his pattern into the same un-  
 warrantable course of behaviour, did withstand  
 him to the face, did openly reprove him before all,  
 because he was blameable<sup>h</sup>; did, as Pope Gelasius I  
 affirmeth, (to excuse another Pope misbehaving

<sup>h</sup> Qui de minore causa conversationis ambiguae Petro ipsi non  
 pepercit.—Tertull. adv. Marc. v. 3. [Opp. p. 463 d.] *Who for a  
 smaller matter of doubtful conversation spared not Peter himself.*

Vid. P. Pelag. II. in Epist. ad Eliam, Bin. Tom. iv. p. 308. [c. 26.  
 Sed his insuper factum Petri, qui et Paulum superat, vestra  
 fraternitas ad memoriam reducat. Diu quippe resistit, ne ad  
 fidem Gentes Sancta Ecclesia sine circumcisione reciparet, diu se a  
 conversarum Gentium communione subtraxit, Paulo attestante qui  
 ait: *Cum venisset Antiochiam, in faciem ei restitu, quia reprehensibilis  
 erat, &c.* (Gal. ii. 11—13). Et paulo post: *Ei cum vidisset quod  
 non recte ambularet ad veritatem Evangelii, dixi Petro coram omni-  
 bus: Si tu cum Iudeus sis, &c.* (vers. 14). Qui tamen ab eodem  
 Paulo postmodum ratione suscepta, dum quosdam conspiceret qui  
 Gentiles ad Ecclesiam venientes pondere servandae circumcisione  
 onerarent, dicit: *Cur tentatis Deum, imponentes jugum cervicibus  
 discipulorum, quod neque patres nostri, neque nos portare posuimus?*  
 (Acts xv. 10.) Nunquid fratres lectissimi, Petro Apostolorum  
 principi sibi dissimilia docenti debuit ad haec verba responderet?  
 Haec quae dicis, audire non possumus, quia aliud ante praedicasti.—  
 Mans. Conc. Tom. ix. col. 440 c.]

himself,) worthily confute him<sup>1</sup>; did (as St Augustine often doth affirm and urge, in proof that reatest persons may sometimes err and fail) correct him, rebuke him, chide him<sup>2</sup>: which behaviour if St Paul doth not well consist with the supposition, that St Peter was his superior in office; if that had been, Porphyrius with good colour of reason might have objected procacity to St Paul in taxing his betters<sup>1</sup>; for he then, indeed, had shewed us no commendable pattern of demeanour towards our governors, in so boldly opposing St

<sup>1</sup> Nunquid ideo aut illa ejus sequenda sunt, quae merito et co-apostolus ejus facta redarguit?—Gelas. I. de Anath. apud Bin. Tom. III. [p. 645 A.] [Mans. Conc. Tom. VIII. col. 88 D.]

<sup>2</sup> Con. Crescon. I. 32 [... nec Petro Apostolo meliores sumus, qui non cogimus gentes Judaizare, quod ille fecisse, Paulo Apostolo adstante et corrigente, monstratur.]—[Opp. Tom. IX. col. 497 E.]

Ibid. II. 32. [Quapropter ita hoc Cypriani non accipio, quamvis inferior incomparabiliter Cypriano, sicut illud Apostoli Petri, quod gentes Judaizare cogebat, nec accipio nec facio, quamvis inferior incomparabiliter Petro.]—II. 32. Tom. IX. col. 430 F.

Cf. de Bapt. con. Don. II. 1. Tom. IX. col. 96, 97. Ep. LXXXII. ad Hier. Tom. II. col. 192 B. Ep. XXVIII. ad eund. col. 47 B.]

Cum laudetur etiam Pauli minimi Apostolorum sana ratio atque libertas, quod Petrum Apostolorum primum adductum in hypocrisim, et non recta via incidentem ad veritatem Evangelii fidenter improbans, in faciem illi restitit, eumque coram omnibus coram objurgavit.—Facund. Hermian. VIII. 6. [inter Opp. Sirmond. Tom. II. col. 667.] *Whereas the sound reason and freedom even of Paul, the least of the Apostles, is commended, in that when Peter, the chief of the Apostles, was carried away with dissimulation, and walked not in a right way, according to the truth of the Gospel, he boldly disliked, and withdrew him to the face, and reproved him openly before all.*

<sup>1</sup> Hier. ad Aug. [Hanc explanationem: quam primus Origenes — et ceteri deinceps interpres sunt secuti, illa vel maxime causa subintroducunt: ut Porphyrio respondeant blasphemanti, qui Pauli arguit procacitatem, quod Principem Apostolorum Petrum ausus est reprehendere, et arguere in faciem.—Ep. LXXIV. Opp. Tom. IV. p. ii. col. 619.] Cf. Hier. in Prol. ad Gal. [Opp. Tom. IV. p. i. col. 223.]

Peter, in so openly censuring him, in so smartly confuting him. More unseemly also it had been to report the business as he doth in writing to the Galatians: for to divulge the miscarriages of superiors, to revive the memory of them, to register them, and transmit them down to all posterity, to set forth our clashing and contests with them, is hardly allowable; if it may consist with justice and honesty, it doth yet little savour of gravity and modesty: it would have been more seemly for St Paul to have privately and humbly remonstrated to St Peter, than openly and downrightly to have reprehended him<sup>m</sup>; at least it would have become him in cold blood to have represented his carriage more respectfully<sup>n</sup>, consulting the honour of the Universal Pastor, whose reputation was like to suffer by such a representation of his proceedings.

<sup>m</sup> It is plain, that St Paul was more bold with St Peter, than any man now must be with the Pope; for let the Pope commit never so great crimes, yet should no mortal, saith the Canon Law, presume to reprove his faults\*.

<sup>n</sup> Pope Pelagius II. would have taught St Paul bettermannen; who saith, that *They are not to be approved, but reprobated, who do reprove or accuse their Prelates* †; and Pope Gregory would have taught him another lesson, namely, that *The evils of their superiors do displease good subjects, however, so that they do conceal them from others* ‡; and, *Subjects are to be admonished, that they do not rashly judge the life of their superiors, if perhaps they see them do blameably* §, &c.

\* Grat. Dist. xl. cap. 6. [Corp. Jur. Can. Tom. i. p. 53. *Hujus culpas darguere presumunt mortalium nullus.*]

† Non sunt consentiendi, sed reprobandi, qui Prælatos suos reprehendunt vel accusant.—Pelag. II. Ep. ii. [Bin. Tom. iv. p. 470 c.] [Mansi. Conc. T. ix. col. 887 c.]

‡ Bonis subditis sic præpositorum suorum mala displicant, ut tamen haec aliis occulent.—Greg. M. Moral. xxv. 15.

§ Admonendi sunt subditi, ne præpositorum suorum vitam temere judicent, siquid eos fortasse agere reprehensibiliter vident, &c.—Id. Reg. Past. pars i. cap. 4. [Opp. Tom. ii. p. 39 a.]

But if St Peter were not in office superior to St Paul, but his colleague, and equal in authority, although preceding him in standing, repute, and other advantages; then St Paul's free proceeding toward him was not only warrantable, but wholesome, and deserving for edification to be recited and recorded; as implying an example how colleagues upon occasion should with freedom and sincerity admonish their brethren of their errors and faults; St Peter's carriage in patiently bearing that corruption also affording another good pattern of equanimity in such cases; to which purpose St Cyprian<sup>o</sup> (alleged and approved by St Austin<sup>p</sup>) doth apply this passage: *For, saith he, neither Peter, whom the Lord first chose, and upon whom he built his Church, when Paul afterward contested with him about circumcision, did insolently challenge, or arrogantly assume anything to himself, so as to say, that he did hold the primacy, and that rather those who were newer and later Apostles ought to obey him: neither despised he St Paul, because he was before a persecutor of the Church; but he admitted the counsel of truth, and easily consented to the lawful course which St Paul did maintain;*

<sup>o</sup> Ep. lxxi. ad Quint. [Opp. p. 127.] [Nam nec Petrus, quem primum Dominus elegit, et super quem aedificavit Ecclesiam suam, cum secum Paulus de circumcisione postmodum disceptaret, vindicavit sibi aliiquid insolenter aut arroganter assumpsit, ut diceret se primatum tenere, et obtemperari a novellis et posteris sibi potius oportere. Nec despexit Paulum quod Ecclesiae prius persecutor fuisset, sed consilium veritatis admisit, et rationi legitimae quam Paulus vindicabat facile consensit, documentum scilicet nobis et concordie et patientie tribuens, ut non pertinaciter nostra amemus, sed quae aliquando a fratribus et collegis nostris utiliter et salubriter suggeruntur, si sint vera et legitima, ipsa potius nostra ducamus.]

<sup>p</sup> De Bapt. con. Don. II. 4. [Opp. Tom. IX. col. 98 D.]

*yielding, indeed, to us a document both of concord and patience, that we should not pertinaciously love our own things, but should rather take those things for ours which sometimes are profitably and wholesomely suggested by our brethren and colleagues, if they are true and lawful:* this St Cyprian speaketh, upon supposition that St Peter and St Paul were equals, or (as he calleth them) colleagues and brethren, in rank co-ordinate; otherwise St Cyprian would not have approved the action; for he often severely doth inveigh against inferiors taking upon them to censure their superiors: *What tumour, saith he<sup>q</sup>, of pride, what arrogance of mind, what inflation of heart, is it, to call our Superiors and Bishops to our cognizance?* St Cyprian therefore could not conceive St Peter to be St Paul's governor, or superior in power; he doth, indeed, plainly enough in the forecited words signify, that in his judgment St Peter had done insolently and arrogantly, if he had assumed any obedience from St Paul. St Austin also doth, in several places of his writings<sup>r</sup>, make the like application of this passage. The ancient writer contemporary to St.

*hostile, to whom the Lord did give the keys of the kingdom of heaven, but another such a one; who in surance of his election knowing himself to be not equal to him, might constantly disprove what he d unadvisedly done?*

It is, indeed, well known, that Origen, and after m St Chrysostom and St Jerome, and divers of e ancients<sup>t</sup> beside, did conceive that St Paul did t seriously oppose or tax St Peter, but did only t it seemingly, upon confederacy with him, for omoting a good design. This interpretation ewever strained, and earnestly impugned by St ustin<sup>u</sup>, I will not discuss; but only shall observe, at it being admitted doth rather strengthen than eaken our discourse: for, if St Peter were St 'aul's governor, it maketh St Peter to have canted to an act in all appearance indecent, irregu- r, and scandalous; and how can we imagine that t Peter would have complotted to the impairing is own just authority in the eye of a great hurch? doth not such a condescension imply n him a disavowing of superiority over St Paul, or conspiracy with him to overthrow good order?

To which purpose we may observe, that St hrysostom<sup>x</sup>, in a large and very elaborate dis-

parem sciret.—Hieron. vel alias quis ad Gal. citatus a Grat. lus. II. Qu. 7. cap. 33. [Corp. Jur. Can. Tom. I. p. 171.] *Paul pretended Peter, which he would not have dared to do, had he not known himself to be equal to him.*

<sup>t</sup> S. Cyril. con. Jul. Lib. IX. p. 325 c. Chrys. Opp. Tom. v. Or. IX. [p. 403.] οὐδὲ ἀπὸ ψυχῆς.—Hier. ad Aug. [Ep. LXXV. Aug. Opp. Tom. II. col. 169, et seq.]

<sup>u</sup> [Ep. LXXXII. ad Hier. Opp. Tom. II. col. 192. Ep. XXVIII. ad und. Ibid. col. 46, 47.]

<sup>x</sup> Καὶ γὰρ αὐξεῖ τὴν κατηγορίαν, καὶ μείζονα ποιῶ, &c.—Opp. Tom. v. Or. LIX. p. 399.

course, wherein he professeth to endeavour an aggravation of the irregularity of St Paul's demeanour, if it were serious; doth not lay the stress of that aggravation upon St Paul's opposing his lawful governor, but his only so treating a co-apostle of such eminency: neither when to that end he designeth to reckon all the advantages of St Peter beyond St Paul, or any other Apostle, doth he mention this, which was chiefly material to his purpose, that he was St Paul's governor; which observations if we do carefully weigh, we can hardly imagine that St Chrysostom<sup>y</sup> had any notion of St Peter's supremacy in relation to the Apostles.

In fine, the drift of St Paul, in reporting those passages concerning himself, was not to disparage the other Apostles, nor merely to commend himself, but to fence the truth of his doctrine, and maintain the liberty of his disciples, against any prejudice that might arise from any authority that might be pretended in any considerable respects superior to his, and alleged against them; to which purpose he declareth by arguments and matters of fact, that his authority was perfectly Apostolical and equal

by special revelation from Christ, did preach unto Gal. i. 12. them: he might, as St Chrysostom<sup>2</sup> noteth, have pretended to some advantage over them, in regard that he had laboured more abundantly than they all; but he forbeareth to do so, being contented to obtain equal advantages.

Well therefore, considering the disadvantage which this passage bringeth to the Roman pretence, might this history be called by Baronius *A history hard to be understood,—A stone of offence, a rock of scandal,—A rugged place, which St Austin himself, under favour, could not pass over without stumbling*<sup>3</sup>.

It may also be considered, that St Paul particularly doth assert to himself an independent authority <sup>Rom. xi. 13.</sup> over the Gentiles, co-ordinate to that which St Peter had over the Jews<sup>b</sup>; the which might engage him so earnestly to contest with St Peter, as by his practice seducing those who belonged to his charge; the which also probably moved him thus to assert his authority to the Galatians, as being Gentiles

<sup>2</sup> Καὶ ταῦτη μᾶλιστα τῶν ἀποστόλων πλεονεκτήσας. περισσότερον γὰρ αὐτῶν ἐκπίασα, φησίν. ἀλλὰ τέως οὐ κατασκευάζει τοῦτο, ἀλλ' ἀγνῷ τὰ Ἰσα φέρων.—In Gal. i. 1. [Opp. Tom. III. p. 711.]

<sup>3</sup> Annal. Eccl. An. LI. § 32—34, 35, &c. [Tom. I. pp. 365, 6.]  
[§ 32. Siate gradum lector; hic plane est lapis offensionis, hic petra scandali, in quem complures impegisse noseuntur: qui enim historiam captu difficultem, nulla alia adhibita diligentioris studii consideratione, cursim legentes sunt interpretati, eo insanis progressi sunt, &c. § 35. Ex his plane apparet quam scaber sit hic locus: quem nec Augustinus (venia tanti Patris dixerim) inoffenso pede pertransiit.]

<sup>b</sup> Plena autoritas Petro in Judaismi prædicatione data dignoscitur, et Pauli perfecta autoritas in prædicatione Gentium invenitur.—Ambr. in Gal. ii. 7, 8. [Opp. Tom. II. (App.) p. 216 &c.]  
There is discerned a full authority given to Peter of preaching to the Jews, and in Paul there is found a perfect power and authority of preaching to the Gentiles.

under his care, and thence obliged especially to  
Gal. ii. 7. regard his authority: *They, saith St Paul, knowing*  
*that I was intrusted with the Gospel of uncircum-*  
*cision, as Peter was intrusted with that of circum-*  
*cision,—gave unto me and Barnabas the right hand*  
*of fellowship:* the which words do clearly enough  
signify that he took himself, and that the other  
Apostles took him to have, under Christ, an  
absolute charge, subordinate to no man, over the  
Gentiles; whence he claimeth to himself, as his  
<sup>2 Cor. xi.</sup>  
<sup>28.</sup> burden, *The care of all the Churches:* he therefore  
might well contest for their liberty, he might well  
insist upon his authority among them. Thus  
did St Chrysostom understand the case: for,  
*Christ, saith he<sup>c</sup>, committed the Jews to Peter,*  
*but set Paul over the Gentiles;* and, *He, saith that*  
*great Father<sup>d</sup>, further doth shew himself to be equal*  
*to them in dignity, and compareth himself, not only*  
*to the others, but even to the ringleader; shewing*  
*that each did enjoy equal dignity.*

It may also by any prudent considerer easily be  
discerned, that if St Peter had really been as they  
assert him, so in authority superior to the other

wanted a head, or there must have been an inextricable controversy about who that head was: St Peter died long before St John, (as all agree,) and perhaps before divers others of the Apostles; now, after his departure, did the Church want a head? then it might before and after have none; and our adversaries lose the main ground of their pretence: did one of the Apostles become head? which of them was it; upon what ground did he assume the headship, or who conferred it on him; who ever did acknowledge any such thing, or where is there any report about it? was any other person made head? suppose the Bishop of Rome, who only pretendeth thereto; then did St John and other Apostles become subject to one in degree inferior to them; then what becometh of St Paul's, *First Apostles, secondly prophets, thirdly teachers?* <sup>1 Cor. xii. 28. Eph. iv. 11.</sup> what do all the Apostolical privileges come to, when St John must be at the command of Linus, and Cletus, and Clemens, and of I know not who beside? was it not a great absurdity for the Apostles to truckle under the pastors and teachers of Rome?

The like may be said for St James, if he (as the Roman Church doth in its Liturgies suppose) were an Apostle, who in many respects might claim the preeminence; who therefore, in the Apostolical Constitutions, is preferred before Clement Bishop of Rome.

17 Upon the same grounds, on which a supremacy of power is claimed to St Peter, other Apostles might also challenge a superiority therein over their brethren; but to suppose such a difference of power among the rest is absonous; and

therefore the grounds are not valid upon which St Peter's supremacy is built.

I instance in St James and St John, who, upon the same probabilities, had (after St Peter) a preference to the other Apostles. For to them our Saviour declared a special regard; to them the Apostles afterwards may seem to have yielded a particular deference; they, in merit and per-

Matt. iv. 21.  
Luke v. 10. performances, seem to have surpassed; they (after St Peter and his brother) were first called to the

Mark iii. 17. Apostolical office; they (as St Peter) were by our Lord new christened, as it were, and nominated

Boanerges, by a name signifying the efficacy of their endeavour in their Master's service; they

Matt. xvii. 1, 2.  
2 Pet. i. 16. together with St Peter, were assumed to behold

Matt. xxvi. 17. the transfiguration; they were culled out to wait

Mark xiv. 33; v. 37. on our Lord in his agony; they also, with St Peter,

Matt. xx. 20, 21.  
Mark x. 35, 37. (others being excluded,) were taken to attest our

Lord's performance of that great miracle of restoring the ruler's daughter to life; they, presuming on their special favour with our Lord, did pretend to the chief places in his kingdom. To one of them it is expressed, that our Saviour did bear a peculiar

propagation of the Gospel was most conspicuous. To them it was peculiar, *les* did first suffer for it, and St John <sup>Acts xii. 2.</sup> persists in the faithful confession of it; *ings* in several kinds do remain as the *azines* of Christian doctrine, furnishing the *fullest* testimonies concerning the *ur Lord*, with special histories of his *th* his divinest discourses; with most *ments* to pity and charity; with proclamations concerning the state of the *∴ therefore was one of the στύλοι, chief* <sup>Gal. ii. 9.</sup> *props, of the Christian profession; one* <sup>2 Cor. xii. 11; xi. 5.</sup> *· ἀπόστολοι, the superlative Apostles.* in the rolls of the Apostles, and in <sup>Mark iii.</sup> concerning them, their names usually are <sup>17.</sup> <sup>Acts i. 13.</sup>

St Peter. Hence also some of the take them, as St Peter was, to have ed by our Lord: *Peter, saith St Grezen<sup>g</sup>, and James and John, who both and were reckoned, before the others—did Christ himself prefer them; and, is, and John, saith Clemens Alexan-* not, as being preferred by the Lord

*υν τούς κορυφαίους.*—Chrys. in Matt. xvii. 1. [Opp.

*Taking therefore the chief and principal.*

*ις παραλαμβάνει μόνος; ὅτι οὐτοι τῶν ἀλλων ἤσαν id. Wherefore taketh he these only with him? Because of and principal above the others.*

*· Ἰάκωβος, καὶ Ἰωάννης, οἱ πρὸ τῶν ἀλλων καὶ ὄπρες καὶ αὐτῇ μὲν ἡ τοῦ Χριστοῦ προτίμησις.—[Or. xxxii. 591 D.]*

*σὶ καὶ Ἰάκωβον, καὶ Ἰωάννην μετὰ τὴν ἀνάληψιν τοῦ αἰώντος τοῦ Κυρίου προτετιμημένους, μὴ ἐπιδικάζεσθαι ιθον τὸν δίκαιον Ἐπίσκοπον Ἱεροσολύμων δέσθαι.—Apostolorum Episcopum.) Clem. Alex. apud Euseb.*

*himself, contest for honour, but did choose James the Just, Bishop of Jerusalem, (or, as Ruffinus reads, Bishop of the Apostles).*

Hence if by designation of Christ, by the concession of the Apostolical College, by the pre-  
gemony of his excellent worth and merit, or upon  
other ground, St Peter had the *πρώτεια*, or first  
place; the *δευτερεία*, or next place, in the same kind  
by like means, upon the same grounds, seems to  
have belonged unto them; and if their advantage  
did imply difference, not in power, but in order  
only, (not authoritative superiority, but honorary  
precedence,) then can no more be allowed or con-  
cluded due to him.

18 The Fathers<sup>i</sup>, both in express terms, and  
implicitly or by consequence, do assert the Apostles  
to have been equal or co-ordinate in power and  
authority. What can be more express than that  
of St Cyprian<sup>k</sup>: *The other Apostles were, indeed, the  
which Peter was, endowed with equal consortship  
of honour and power; and again<sup>l</sup>, Although our Lord  
giveth to all the Apostles after his resurrection an  
equal power, and saith, As the Father sent me.*

n comparing St Paul to St Peter, he calleth Paul *ισότιμον αὐτῷ, equal in honour to him,* ing, *πλέον γὰρ οὐδὲν ἔρω τέως, for I will not as say anything more;* as if he thought St Paul, sed, the more honourable? How also could St il<sup>o</sup> more plainly declare his sense to be the ie, than when he called St Peter and St John *ἴμοις ἀλλήλοις, equal to one another in honour?* l not St Jerome also sufficiently declare his d in the case, when he saith of the Apostles, t *The strength of the Church is equally settled n them?* Doth not Dionysius<sup>q</sup> (the supposed xopagite) call the decade of the Apostles co-ordin e with their foreman, St Peter? in conformity, uppose, to the current judgment of his age. at can be more full than that of Isidore, ose words shew how long this sense continued the Church;) *The other Apostles did receive equal share of honour and power; who also ig dispersed in the whole world did preach the pel; and to whom departing the Bishops did*

*Καὶ γοὺς Πέτρος τε καὶ Ἰωάννης, ισότιμοι μὲν ἀλλήλοις, καθὸ καὶ τοῖς καὶ ἄγνοις μαθηταῖ.—Ep. ad Nestor. Act. Con. Eph. Part I. Conc. Tom. II. p. 209 D.] Peter and John were equal in honour v another, as were also the Apostles and holy disciples.*

Did Tertullian think St Paul inferior to St Peter, when he : *Bene quod Petrus Paulo et in martyrio adsequatur?—De iur. cap. xxiv. [Opp. p. 210 c.] It is well that Peter is even in yrdom equalled to Paul.*

At dicis, super Petrum fundatur Ecclesia; licet id ipsum in loco super omnes Apostolos fiat, et cuncti claves regni cœlorum piant; et ex æquo super eos Ecclesiæ fortitudo solidetur.—vn. in Jovin. l. 14. [Opp. Tom. IV. p. ii. col. 168.] *But you say, the Church is founded upon Peter, though the same thing in her place is affirmed of all the Apostles, and that, &c.*

*Ο τὸν μαθητῶν κορυφαῖος, μετὰ τῆς δμοταγοῦς αὐτῷ καὶ ἴεραρχικῆς οι.—De Eccl. Hier. cap. v. [Opp. Tom. I. p. 315 c.]*

*succeed, who are constituted through the whole world in the Sees of the Apostles?*

By consequence the Fathers do assert this equality, when they affirm (as we before did shew) the Apostolical office to be absolutely supreme; when also they affirm (as afterwards we shall shew) all the Apostles' successors to be equal as such; and particularly that the Roman Bishop, upon account of his succeeding St Peter, hath no pre-eminence above his brethren; for, *Wherever a Bishop be, whether at Rome, or at Eugubium; at Constantinople, or at Rhegium; at Alexandria, or at Thanis; he is of the same worth, and of the same priesthood: the force of wealth, and lowness of poverty, doth not render a Bishop more high or more low; for that all of them are successors of the Apostles.*

19 Neither is it to prudential esteem a despicable consideration, that the most ancient of the Fathers, having occasion sometimes largely to discourse of St Peter, do not mention any such prerogatives belonging to him.

20 The last argument which I shall use against this primacy, shall be the insufficiency of those arguments and testimonies, which they allege to warrant and prove it.

<sup>1</sup> *Cæteri Apostoli cum Petro par consortium honoris et potestatis acceperunt, qui etiam in toto orbe dispersi, Evangelium predicaverunt; quibusque decadentibus successerunt Episcopi, qui sunt constituti per totum mundum in sedibus Apostolorum.*—*Ibid. His de Off. II. 5. [Opp. p. 402 c.]*

<sup>2</sup> *Ubiunque fuerit Episcopus, sive Romæ, sive Eugubii, sive Constantinopolis, sive Rhegii, sive Alexandriae, sive Tanis, ejusdem meriti, ejusdem est et sacerdotii. Potentia divitiarum, et paupertatis humilitas, vel sublimiorem vel inferiorem Episcopum non facit. Ceterum omnes Apostolorum successores sunt.*—*Hier. ad Evag. Ep. LXXXV. [ad Evangel. Ep. cii. Opp. Tom. IV. p. ii. col. 802.] Cf. Iren. III. 12; III. 1, 3.*

If this point be of so great consequence as they make it; if, as they would persuade us, the subsistence, order, unity, and peace of the Church, together with the salvation of Christians, do depend on it<sup>t</sup>; if, as they suppose, many great points of truth do hang on this pin; if it be, as they declare, a main article of faith, and not only a simple error, but a pernicious heresy to deny this supremacy<sup>u</sup>; then it is requisite, that a clear revelation from God should be producible in favour of it, (for upon that ground only such points can firmly stand;) then it is most probable, that God to prevent controversies, occasions of doubt, and excuses for error about so grand a matter) would not have failed to have declared it so plainly, as might serve to satisfy any reasonable man, and to convince any froward gainsayer: but no such revelation doth appear; for the places of Scripture which they allege do not plainly express it, nor pregnantly imply it, nor can it by fair consequence be inferred from them: no man unprepossessed with affection to their side would descry it in them; without thwarting St Peter's order, and wresting the Scriptures, they cannot deduce it<sup>2 Pet. iii. 16.</sup> from them. This by examining their allegations will appear.

I. They allege those words of our Saviour, uttered by him upon occasion of St Peter's confessing him to be the Son of God: *Thou art Peter, and upon this rock will I build my Church.* Here,

<sup>t</sup> *De qua re agitur, cum de Primatu Pontificis agitur? breviter dicam, de summa rei Christianae.*—Bell. Praef. ad Pontif. Rom. Lib. I. [§ 2.]

<sup>u</sup> *Est enim revera non simplex error, sed perniciosa hæresis, negare B. Petri primatum a Christo institutum.*—Id. I. 10. [§ 2.]

say they', St Peter is declared the foundation, & is, the sole supreme governor of the Church.

To this I answer:

1 Those words do not clearly signify any thing to their purpose; for they are metaphorical, thence ambiguous, or capable of divers interpretations; whence they cannot suffice to ground main a point of doctrine, or to warrant so h a pretence; these ought to stand upon downright evident, and indubitable testimony.

It is pretty to observe how Bellarmine proposes this testimony: *Of which words, saith he, the sense is plain and obvious, that it be understood, that under two metaphors the principate of the whole Church was promised*"; as if that sense could be plain and obvious, which is couched under two metaphors, and those not very pat or clear application to their sense.

2 This is manifestly confirmed from that Fathers and Divines, both ancient and modern have much differed in exposition of these words.

For some interpret this rock to be Christ, & cor. iii. self of whom St Paul saith *Other foundations*



*in no man lay than that which is laid, which is Jesus Christ.*

St Austin telleth us in his Retractations, that he often had expounded the words to this purpose, although he did not absolutely reject that interpretation which made St Peter the rock; leaving it to the reader's choice which is the most probable<sup>7</sup>.

Others (and those most eminent Fathers) do take the rock to be St Peter's faith, or profession: *Upon the rock, saith the prince of interpreters<sup>8</sup>, that is, upon the faith of his profession; and again<sup>9</sup>, Christ said that he would build his Church on Peter's confession; and again, (he, or another ancient writer under his name,) Upon this rock, he said, not upon Peter; for he did not build his*

[*Queretur, cum Christus dixit super hanc petram ædificabo Ecclesiam meam, quæ sit petra ista.*

*Aliqui dicunt, quod sit Petrus, scilicet, quod super illum fuit ædificata Ecclesia...*

*Alii autem dicunt, et melius, quod petra super quam fundatur Ecclesia est Christus...*

*Alii dicunt, et adhuc melius, quod petra non accipitur hic pro Petro, nec pro Christo, sed pro confessione fidei quam Petrus fecit...  
—Alph. Tost. Hisp. Tom. II. p. ii. fol. 192. Ed. Col. Agr. 1613.]*

<sup>7</sup> *Scio me postea æxpiissime sic exposuisse, quod a Domino dictum est: Tu es Petrus, &c. ut super hunc intelligeretur quem confessus est Petrus. Harum autem duarum sententiarum quæ sit probabilius eligat lector.—Retr. I. 21. [Opp. Tom. I. col. 32 c.]*

*Super hanc, inquit, petram quam confessus es, ædificabo Ecclesiam meam.—In Joh. Tract. cxxiv. [Opp. Tom. III. col. 822 E.]*

*Supra hanc petram quam confessus es, supra hanc petram quam cognovisti dicens, Tu es Christus Filius Dei vivi, ædificabo Ecclesiam meam; id est, super me ipsum Filium Dei vivi, ædificabo Ecclesiam meam. Super me ædificabo te, non me super te.—Serm. LXXVI. de verb. Dom. in Matt. XVI. [Opp. Tom. V. col. 415 G.]*

*Super hanc petram, id est, super me, ædificabo Ecclesiam meam.—Anselm. in Matt. XVI. 18. [Opp. Tom. I. fol. 88.]*

<sup>8</sup> *Τάντη τῇ πέτρᾳ, τονίστῃ τῇ πίστει τῆς δομολογίας.—Chrys. in Matt. XVI. 18. [Opp. Tom. II. p. 344.]*

<sup>9</sup> *— τὴν ἐκλησίαν ἐφῆσεν ἐπὶ τὴν δομολογίαν οἰκοδομήσει τὴν οἰκίαν.—In Joh. I. 50. [Opp. Tom. II. p. 637.]*

*Church upon the man, but upon his faith<sup>b</sup>. Our Lord, said Theodoret<sup>c</sup>, did permit the first of the Apostles, whose confession He did fix as a proper foundation of the Church, to be shaken. When Origen<sup>d</sup> saith, that every disciple of Christ is the rock, in virtue of his agreement with Peter in the holy confession.*

*This sense even Popes<sup>e</sup> have embraced.*

<sup>b</sup> Ἐπὶ ταύτῃ τῇ πέτρᾳ· οὐκ εἰπειν, ἐπὶ τῷ Πέτρῳ· οὐτε γὰρ ἐπὶ τῷ ἀνθρώπῳ, ἀλλ' ἐπὶ τὴν πίστιν τὴν ἑαυτοῦ ἐκκλησίας φιλοδόμησε.—*Or. Tom. v. Or. c. lxxii. [p. 979.]*

Super hanc igitur confessionis petram Ecclesiam aedificabo.—*Hil. de Trin. vi. 36. [Opp. p. 903 E.]*

<sup>c</sup> Ο δεσπότης ἡμῶν Χριστὸς τῶν ἀποστόλων τὸν πράτον, οὐ τὸ δμολογίαν οἰον τίνει κρητίδα καὶ θεμέλιον τῆς ἐκκλησίας απέστησεν συνεχώρησε σαλευθῆναι.—*Ep. lxxviii. [Opp. Tom. iii. p. 945 A.]*

<sup>d</sup> Πέτρα γὰρ πᾶς δὲ Χριστοῦ μαθητὴς, ἀφ' οὗ ἐπιπονοῦσι τικῆς ἀκολούθησης πέτρας, καὶ ἐπὶ πᾶσαν τὴν τοιαύτην πέτραν αἰδούμενοι δὲ ἐκκλησιαστικὸς πᾶς λόγος, καὶ ἡ κατ' αὐτὸν πολεμεία.—*In Hil. xvi. 18. [Opp. Tom. iii. p. 523 D.]*

<sup>e</sup> In vera fide persistite, et vitam vestram in petra Ecclesie, hoc est in confessione B. Petri Apostolorum Principis solidate.—*Greg. M. Ep. iv. 38. [Opp. Tom. ii. p. 718 D.] Persist in the true faith, and establish and fix your life upon the rock of the Church, that is, upon the confession of blessed Peter, the prince of the Apostles.*

Super ista confessione aedificabo Ecclesiam meam.—*Felix III. Ep. v. [Bin. Tom. iii. p. 603 D.] [Mans. Conc. Tom. vii. col. 1051. Εἰπόντος γὰρ αὐτοῦ πρὸς τὸν Κύριον· στι σὺ εἰ δὲ Χριστὸς εἰς τὸν Θεοῦ τὸν ζῶντος ἀκήκοε παρ' αὐτοῦ· μακάριος εἰ Σίμων οὐ*

Others<sup>1</sup> say, that as St Peter did not speak for himself, but in the name of all the Apostles, and of all faithful people, representing the pastors and people of the Church; so correspondently our Lord did declare, that he would build his Church upon such faithful pastors and confessors.

Others do, indeed, by the rock understand St Peter's person, but do not thereby expound to be meant his being supreme governor of the Apostles, or of the whole Church.

The Divines, Schoolmen, and Canonists of the Roman communion, do not also agree in exposition of the words; and divers of the most learned among them<sup>2</sup> do approve the interpretation of St Chrysostom.

Now then, how can so great a point of doctrine be firmly grounded on a place of so doubtful interpretation? How can any one be obliged to understand the words according to their interpretation, which persons of so good sense and so great authority do understand otherwise? With what modesty can they pretend that meaning to be clear, which so perspicacious eyes could not discern therein? Why may not I excusably agree with St Chrysostom, or St Austin, in understanding the place? May I not reasonably oppose their judgment to the opinion of any modern Doctors,

<sup>1</sup> *Unus pro omnibus loquens, et Ecclesiae voce respondens.*—*Cypr. Ep. lv.* [Opp. p. 83.] *One speaking for all, and answering in the name of the Church.*

*Cui totius Ecclesiae figuram gerenti Dominus ait, Super hanc.*—*Ang. Ep. 165.* [Ep. lxxii. Opp. Tom. ii. col. 120 f.] *To whom, representing the whole Church, our Lord saith, Upon this rock, &c.*

*Petrus ex persona omnium Apostolorum profitetur.*—*Hier. in loc.*—[Opp. Tom. iv. p. 1. col. 73.] *Peter professes in the person of all the Apostles.*

<sup>2</sup> *Vido Rigalt. in Cypr. Epp. xxvii. xl. lxix. lxx. lxxi. lxxxii.*

deeming Bellarmine as fallible in his conceptions as one of them? Why consequently may I not without blame refuse their doctrine, as built upon this place, or disavow the goodness of this proof?

3 It is very evident, that the Apostles themselves did not understand those words of our Lord to signify any grant or promise to St Peter of supremacy over them: for would they have

*Luke xxii.* tended for the chief place, if they had understood  
*14.* whose it of right was by our Lord's own positive

*Mark ix.* determination? would they have disputed about a  
*33.* question, which to their knowledge by their Master

*Matt. xviii.* was already stated? would they have troubled our  
*1.* Lord to inquire of him who should be the greatest  
in his kingdom, when they knew that our Lord

had declared his will to make St Peter viceroy?

*Mark x.* would the sons of Zebedee have been so foolish  
*35—37.* and presumptuous as to beg the place, which they  
knew by our Lord's word and promise fixed on  
St Peter? would St Peter, among the rest<sup>h</sup>, have fretted at that idle overture, whenas he knew  
the place by our Lord's immutable purpose and  
infallible declaration assured to him? And if none



4 This interpretation also doth not well consist with our Lord's answers to the contests, inquiries, and petitions of his disciples, concerning the point of superiority: for doth he not (if the Roman expositions be good) seem upon those occasions, not only to dissemble his own word and promise, but to disavow them, or thwart them? can we conceive, that he would in such a case of doubt forbear to resolve them, clearly to instruct them, and admonish them of their duty?

5 Taking the rock, as they would have it, to be the person of St Peter, and that on him the Church should be built; yet do not the words being a rock probably denote government? for what resemblance is there between being a rock and a governor? at least what assurance can there be, that this metaphor precisely doth import that sense; seeing in other respects, upon as fair similitudes, he might be called so? St Austin saith<sup>1</sup>, *The Apostles were foundations, because their authority doth support our weakness.* St Jerome<sup>2</sup> saith, that *They were foundations, because the faith of the Church was first laid in them.* St Basil<sup>3</sup> saith, that *St Peter's soul was called the rock, because it was firmly rooted in the faith, and did hold stiff, without giving way against the blows of*

<sup>1</sup> Quare sunt fundamenta Apostoli et Prophetæ? Quia eorum auctoritas portat infirmitatem nostram.—In Ps. lxxxvi. [Opp. Tom. IV. col. 921 B.]

<sup>2</sup> In illis erant fundamenta, ibi primum posita est fides Ecclesie.—Hier. in Ps. lxxxvi. [Opp. Tom. II. col. 347.]

<sup>3</sup> Πέτρα δὲ οὐψηλή, η ψυχή τοῦ μακαρίου Πέτρου εὐόμασται, διὰ τὸ ποιεῖ ἐνέργειῶσθαι τὴν πίστει, καὶ στερρῆσ καὶ ἐνερδῆσ τὸν ἔχει πρὸς τὸν ἡ τε περασμῶν ἐναγομένας πληγάς.—In Isai. ii. [Opp. Tom. I. p. 427 D.]

*temptation.* Chrysologus<sup>m</sup> saith, that *Peter had his name from a rock, because he first merited to found the Church by firmness of faith.* These are fair explications of the metaphor, without any reference to St Peter's government.

But however also admitting this, that being such a rock doth imply government and pastoral charge; yet do they (notwithstanding these grant and suppositions) effect nothing: for they cannot prove the words spoken exclusively in regard to other Apostles, or to import anything singular to him above or beside them; he might be a governing rock, so might others be; the Church might be built on him, so it might be on other Apostles; he might be designed a governor, a great governor, a principal governor, so might they also be; this might be without any violence done to those words. And this, indeed, was; for all the other Apostles in Holy Scripture are called foundations and the Church is said to be built on them. *I* saith Origen<sup>n</sup>, the father of interpreters, *you think the whole Church to be only built on Peter alone, what will you say of John the son of thunder*

*Church is founded on Peter; but the same in another place is done upon all the Apostles. The twelve Apostles, saith another ancient author, were the immutable pillars of orthodoxy, the rock of the Church. The Church, saith St Basil<sup>1</sup>, is built upon the foundation of the Prophets and Apostles; Peter also was one of the mountains; upon which rock the Lord did promise to build his Church. St Cyprian<sup>2</sup>, in his dispute with Pope Stephen, did more than once allege this place, yet could he not take it in their sense to signify exclusively; for he did not acknowledge any imparity of power among the Apostles or their successors. He, indeed, plainly took these words to respect all the Apostles and their successors; our Lord taking occasion to promise that to one, which he intended to impart to all for themselves and their successors: Our Lord, saith he<sup>3</sup>, ordering the honour of a Bishop, and the order of his Church, saith to Peter, I say to thee, &c. Hence through the turns of times and successions, the ordination of Bishops, and the manner of the Church doth run on, that the Church should be settled upon the Bishops, and every act of the Church should be governed by the same prelates: as*

*loco super omnes Apostolos fiat.—Hier. in Jovin. I. 14. [Opp. Tom. IV. p. II. col. 168.]*

<sup>1</sup> Ἐκκλησία—φύκοδόμηται ἐπὶ τῷ θεμελίῳ τῶν ἀποστόλων καὶ προπτέρων. ἐν τῶν ὅρεων ἦν καὶ Πέτρος, ἐφ' ἧς καὶ πέτρας ἐπηγειλατο δύναμις οἰκοδομήσεως αὐτοῦ τὴν ἐκκλησίαν.—In Isai. ii. [Opp. Tom. I. p. 427 D.]

<sup>2</sup> Epp. LXXI. LXXXIII.

<sup>3</sup> Dominus noster—Episcopi honorem et Ecclesiae siccus rationem disponens in Evangelio loquitur, et dicit Petro: *Ego tibi dico, &c.*—Inde per temporum et successionum vices Episcoporum ordinatio, et Ecclesiae ratio decurrit, ut Ecclesia super Episcopos constituantur, et omnis actus Ecclesiae per eosdem praepositos gubernetur.—Ep. XXVII. [Opp. p. 37.] Vid. de Unit. Eccl.

therefore he did conceive the Church to be built, not on the Pope singularly, but on all the Bishops; so he thought our Lord did intend to build his Church, not upon St Peter only, but on all his Apostles.

6 It is not said, that the Apostles, or the Apostolical office, should be built on him; for that could not be, seeing the Apostles were constituted, and the Apostolical office was founded, before that promise; the words only therefore can import, that according to some meaning he was a rock, upon which the Church, afterward to be collected, should be built; he was a rock of the Church to be built, as Tertullian<sup>t</sup> speaketh: the words therefore cannot signify anything available to their purpose, in relation to the Apostles.

7 If we take St Peter himself for the rock, then (as I take it) the best meaning of the words doth import, that our Lord designed St Peter for a prime instrument<sup>u</sup> (the first mover, the most diligent and active at the beginning, the most constant, stiff, and firm) in the support of his truth, and propagation of his doctrine, or conversion of

the Church, (the Church being founded on their labours,) so might St Peter signally be so called: Who, as St Basil<sup>1</sup> saith, allusively interpreting our Saviour's words, *for the excellency of his faith did make on him the edifying of the Church.*

Both he and they also might be so termed, for that upon their testimonies concerning the life, death, and resurrection of Christ, the faith of Christians was grounded; as also it stands upon their convincing discourses, their holy practice, their miraculous performances; in all which St Peter was most eminent; and in the beginning of Christianity displayed them to the edification of the Church.

This interpretation plainly doth agree with matter of fact and history; which is the best interpreter of right or privilege in such cases; for we may reasonably understand our Saviour to have promised that, which in effect we see performed: *the event sheweth; the Church was built on him, that is by him,* saith Tertullian<sup>2</sup>.

But this sense doth not imply any superiority of power or dignity granted to St Peter above his brethren; however it may signify an advantage belonging to him, and deserving especial respect; as Chrysostom notably doth set out in these words: *although John, although James, although Paul, although any other whoever may appear performing great matters; he yet doth surpass them all, who did precede them in liberty of speech, and opened*

<sup>1</sup> Ο διὰ πίστεως ὑπεροχὴ ἐφ' ἀντὸν τὴν οἰκοδομὴν τῆς ἐκκλησίας ἄμεσος.—Con. Eunom. Lib. II. [Tom. I. p. 240 E.]

<sup>2</sup> Edificans Ecclesiam petra.—Tertull. ubi supra.

<sup>3</sup> Sic enim et exitus docet. In ipso Ecclesia exstructa est, id per ipsum, &c.—De Pudic. cap. xxi. [Opp. p. 574 B.]

*the entrance, and gave to them, as to a river carried with a huge stream, to enter with great ease*: doing this, as, I say, it might signify his being a rock of the Church, so it denoteth an excellency of merit, but not a superiority in power.

8 It may also be observed, that St Peter, before the speaking of those words by our Lord, may seem to have had a primacy, intimated by Matt. x. 2. the Evangelists, when they report his call to the Apostolical office; and by his behaviour, when in John vi. 69. this confession, and before in the like, he undertook to be their mouth and spokesman; when, *Not being unmindful of his place*, saith St Ambrose<sup>b</sup>, *he did act a primacy; a primacy, addeth that Father, of confession, not of honour; of faith, not of order*: his primacy therefore (such as he had) cannot well be founded on this place, he being afore possessed of it, and, as St Ambrose conceived, exercising it at that time.

II. They allege the next words of our Lord, spoken in sequel upon the same occasion, *To them will I give the keys of the kingdom of heaven*; that is, say they, the supreme power over all the Church:

the answers which were given to the former;  
or

1 These words are figurate, and therefore not clear enough to prove their assertion.

2 They do admit, and have received, various interpretations.

3 It is evident, that the Apostles themselves did not understand these words as importing a supremacy over them; that St Peter himself did not apprehend this sense; that our Lord, upon occasion inviting to it, did not take notice of his promise according thereto.

4 The words, *I will give thee*, cannot anywise be assured to have been exclusive of others, or appropriated to him: *He said* (as a very learned man<sup>d</sup> of the Roman communion noteth) *to Peter, I will give thee the keys; but he said not, I will give them to thee alone*: nothing therefore can be concluded from them to their purpose.

5 The Fathers do affirm, that all the Apostles did receive the same keys. *Are, saith Origen<sup>e</sup>, the keys of the kingdom of heaven given by the Lord to Peter alone, and shall none other of the blessed ones receive them? But if this, I will give thee the keys of the kingdom of heaven, be common, how also are not all the things common which were spoken*

<sup>d</sup> *Dixit Petro, Dabo tibi claves; at non dixit, Dabo tibi soli.*—  
Epist. in Epist. Firmil. ad Cypr.

<sup>e</sup> *Ἄρα δὲ τῷ Πέτρῳ μόνῳ δίδονται ὑπὸ τοῦ Κυρίου αἱ κλεῖδες τῶν οὐρανῶν βασιλείας, καὶ οὐδεὶς ἔπειρος τῶν μακαρίων αὐτὰς ἀφίηται; εἰ δὲ κοινών ἔστι καὶ πρὸς ἔπειρους· τὸ δώσω σοι τὰς κλεῖδας τῆς βασιλείας τῶν οὐρανῶν, πῶς οὐχὶ καὶ πάντα τὰ τε προειρημένα, καὶ τὰ ἀπιφερόμενα, ὡς πρὸς Πέτρον λελεγμένα;*—In Matt. xvi. 18. [Opp. Tom. III. p. 524 B.]

*Quod Petro dicitur, Apostolis dicitur.*—Ambr. in Ps. xxxviii.  
[Opp. Tom. I. p. 858 C.] *What is said to Peter, is said to the Apostles.*

*before, or are added as spoken to Peter?* St Jerome<sup>f</sup> says in express words, that *All the Apostles did receive the keys of the kingdom of heaven.* He, saith Optatus<sup>g</sup>, did alone receive the keys of the kingdom of heaven, (which were) to be communicated to the rest; that is, (as Rigaltius<sup>h</sup> well expoundeth those words,) *Which Christ himself would also communicate to the rest.* Theophylact: *Although it be spoken to Peter alone, I will give thee, yet it is given to all the Apostles<sup>i</sup>.* It is part of St John's character in St Chrysostom<sup>j</sup>, *He that hath the keys of the heavens.*

6 Indeed, whatever (according to any tolerable exposition, or according to the current expositions of the Fathers) those keys of the kingdom of heaven do import, (whether it be a faculty of opening it by doctrine<sup>k</sup>, of admitting into it by dispensation of Baptism and absolution, of excluding from it by ecclesiastical censure, or any such faculty signified by that metaphorical expression,) it plainly did belong to all the Apostles, and was effectually conferred on them; yea, after them, upon all the pastors of the Church in their several

<sup>f</sup> *Licet id ipsum in alio loco super omnes Apostolos fiat, et cuncte claves regni cœlorum accipiant.*—Hier. in Jov. i. 14. [Opp. Tom. iv. p. ii. col. 168.] *Though the same thing in another place is done upon all the Apostles, and all receive the keys of the kingdom of heaven.*

<sup>g</sup> *Claves regni cœlorum communicandas cœteris solus accepit.*—Lib. vii. [cap. 3. p. 101.]

<sup>h</sup> *Communicandas cœteris dixit, quas ipse Christus communicaturus erat et cœteris.*—Rigalt. in Cypr. de Unit. Eccl.

<sup>i</sup> *Εἰ γὰρ καὶ πρὸς Πέτρον μόνον εἴρηται τὸ, δώσω σοι, ἀλλὰ εἰ μᾶστι τοῖς Ἀποστόλοις δέδοται.*—In loc. [Opp. Tom. i. p. 85 d.]

<sup>j</sup> *Ο τὰς κλεῖς ἔχων τῶν οὐρανῶν.*—In Praef. Evang. Joh. [Opp. Tom. ii. p. 555.]

<sup>k</sup> *Claves intelligit verbum Dei, evangelium Christi.*—Rigalt. in Cypr. Ep. lxxiii.

precincts and degrees; who in all ages have claimed to themselves the power of the keys; to be (as the Council of Compeigne calleth all Bishops) *Clavigeri*, [Ann. 833.] *The key-bearers of the kingdom of heaven*<sup>1</sup>.

So that in these words nothing singular was promised or granted to St Peter; although it well may be deemed a singular mark of favour, that what our Lord did intend to bestow on all pastors, that he did anticipately promise to him; or, as the Fathers say, to the Church and its pastors in him. In which respect we may admit those words of Pope Leo I.<sup>m</sup>: *The efficacy of this power passed indeed upon the other Apostles; yet was it not in vain, that what was intimated to all, was commended to one. Therefore this is committed singly to Peter, because Peter's pattern and example is propounded to all the governors of the Church.*

<sup>7</sup> Indeed, divers of the Fathers do conceive the words spoken to St Peter, not as a single person, but as a representative of the Church, or as standing in the room of each pastor therein; unto whom our Lord designed to impart the power of the keys: *All we Bishops, saith St Ambrose<sup>n</sup>, have in St Peter received the keys of the kingdom of heaven.*

<sup>1</sup> Episcopi——quos constat esse vicarios Christi, et clavigeros regni cœlorum.—Cœc. Comp. apud Bin. Tom. vi. p. 360, c. [2 e.] [Mans. Conc. Tom. xiv. col. 847 c.]

<sup>m</sup> Transvit quidem etiam in Apostolos alios jus istius potestatis, sed non frustra uni commendatur, quod omnibus intimetur. Petro enim ideo hoc singulariter creditur, quia cunctis Ecclesiæ rectoribus Petri forma proponitur.—In Nat. S. Pet. Serm. lxxxiii. [Opp. Tom. i. p. 331.]

<sup>n</sup> In B. Petro Apostolo claves regni cœlorum cuncti suscepimus sacerdotes.—De Dign. Sac. cap. 1. [Opp. Tom. ii. (App.) p. 368 A.] Ecclesia quæ fundatur in Christo, claves ab eo regni cœlorum

8 These answers are confirmed by the words immediately adjoined, equivalent to these, and interpretative of them; *And whatsoever thou shalt bind on earth shall be bound in heaven*;—the which do import a power or privilege soon after expressly, and in the very same words, promised or granted to all the Apostles<sup>o</sup>; as also the same power in other words was by our Lord conferred on them

*Matt. xviii. 18.*  
*John xx. 23.*

acceptit in Petro, id est, potestatem ligandi solvendique peccata.—  
Aug. Tract. cxxiv. in Joh. [Opp. Tom. iii. col. 822 e.]

Tract. l. in Job. [col. 633 e.] Si autem et in Ecclesia sit, et quae in terra ligantur, in celo ligentur, et quae solvuntur in terra, solvuntur in celo—si hoc ergo in Ecclesia sit, Petrus quando claves accepit Ecclesiam sanctam significavit.]

In typo unitatis Petro Dominus dedit potestatem—. Id. de Bap. iii. 17. [Opp. Tom. ix. col. 117c.] *Our Lord gave the power to Peter, as a type of unity.*

Non sine causa inter omnes Apostolos hujus Ecclesiae Catholicae personam sustinet Petrus; huic enim Ecclesiae claves regni coelorum datæ sunt, cum Petro datæ sunt.—Id. de Ag. Chr. cap. xxx. [Opp. Tom. vi. col. 260c.] *Not without cause does Peter among the rest of the Apostles sustain the person of the Catholic Church; for to this Church are the keys of the kingdom of heaven given, when they are given unto Peter.*

Id. in Ps. cixii. [Opp. Tom. iv. col. 1215 f.] Sicut enim quædam dicuntur, quæ ad Apostolum Petrum proprio pertinere videantur, nec tamen habent illustrem intellectum, nisi cum referuntur ad Ecclesiam, cuius ille agnoscitur in figura gestare personam, propter primatum quem in discipulis habuit; sicuti est. *Tibi dabo claves, &c.*]

*Ἐν προσώπῳ τοῦ κορυφαίου, καὶ τοῖς λοιποῖς τῶν μαθητῶν ἡ τοπίη ἔξουσία ἐδέδοτο.*—[Eulogius Archiepisc. Alex.] apud Phot. Biblioth. Cod. cclxxx. [p. 1600.] *Such authority was given to the rest of the Apostles in the person of him who was the chief.*

<sup>o</sup> Aug. supr. Matt. xviii. 18. [Ut scias quia Petrus universæ Ecclesiae personam tunc gerebat, audi quid ipsi dicatur, quid omnibus fidelibus sanctis.—*Amen dico vobis, quia quæ ligaueritis in terra, ligata erunt et in celo; et quæcunque solveritis in terra, soluta erunt et in celo.* Columba ligat, columba solvit: sedicium supra petram ligat et solvit.—Serm. ccxcvi. Opp. Tom. v. col. 1195 A.]

after the resurrection. If therefore the keys of the kingdom of heaven do import supreme power, then each Apostle had supreme power.

9 If we should grant (that which nowise can be proved) that something peculiarly belonging to St Peter is implied in those words, it can only be his, that he should be a prime man in the work of preaching and propagating the Gospel, and conveying the heavenly benefits of it to believers; which is an opening of the kingdom of heaven; according to what Tertullian excellently saith of him: *So, saith he, the event teacheth: the Church was built in him, that is, by him; he did initiate the key; see which: Ye men of Israel, hear these words, Jesus of Nazareth, a man approved of God among you, &c. He, in fine, in the Baptism of Christ, did unlock the entrance to the kingdom of heaven*<sup>9</sup>, &c.

10 It seemeth absurd, that St Peter should exercise the power of the keys in respect to the Apostles: for did he open the kingdom of heaven to them, who were by our Lord long before admitted into it?

11 In fine, our Lord (as St Luke relateth it) did say to St Peter, and probably to him first, *Fear not, from henceforth thou shalt catch men:* Luke v. 10. Matt. iv. 19. might it hence be inferred, that St Peter had a peculiar or sole faculty of catching men? why might it not be as good a consequence as this, whereby they would appropriate to him this opening

<sup>9</sup> Sic enim exitus docet. In ipso Ecclesia exstructa est, id est, per ipsum: ipse clavem imbut; vide quam: *Viri Israelitae, auribus vobis quae dico; Jesum Nazarenum virum a Deo vobis destinatum, & reliqua. Ipse denique primus in Christi Baptismo reseravit ditum celestis regni, &c.*—De Pudic. cap. xxi. [Opp. p. 574 B.]

faculty? Many such instances might in like manner be used.

III. They<sup>q</sup> produce those words of our S<sup>a</sup> to St Peter, *Feed my sheep*; that is, in the R interpretation, *Be thou universal governor of Church.*

To this allegation I answer:

1 From words which truly and properly have been said to any other Apostle, yea, to Christian pastor whatever, nothing can be cluded to their purpose, importing a peculiar or singular privilege of St Peter.

2 From indefinite words a definite concl (especially in matters of this kind) may no inferred: it is said, *Do thou feed my sheep*; not said, Do thou alone feed all my sheep: th their arbitrary gloss, or presumptuous improve of the text; without succour whereof the v signify nothing to their purpose, so far are from sufficiently assuring so vast a pretence instance, when St Paul doth exhort the Bisho Ephesus to feed the Church of God; may it th be collected that each of them was an uni

the Apostles before this had their warrant and authority consigned to them, when our Lord did inspire them, and solemnly commissionate them, saying, *As the Father did send me, so I send you:* <sup>John xx.</sup>  
<sup>21.</sup> to which commission, these words (spoken occasionally, before a few of the disciples) did not add or derogate. At most the words do only, as St Cyril<sup>o</sup> saith, renew the former grant of Apostleship, after his great offence of denying our Lord.

4 These words do not seem institutive or collative of power, but rather only admonitive or exhortative to duty; implying no more, but the pressing a common duty, before incumbent on St Peter, upon a special occasion, in an advantageous season, that he should effectually discharge the office which our Lord had committed to him. Our Lord, I say, presently before his departure, when his words were like to have a strong impression on St Peter, doth earnestly direct and warn him to express that special ardency of affection, which he observed in him, in an answerable care to perform his duty of feeding; that is, of instructing, guiding, edifying, in faith and obedience, those sheep of his; that is, those believers, who should be converted to embrace his Religion, as ever he should find opportunity.

5 The same office certainly did belong to all

*μετριαὶ δὲ θεοπίστους Πέρπος.*—Cyril. Alex. in loc. [Opp. Tom. IV. p. 1119 A.] *Peter had already been ordained to the holy Apostleship along with the other disciples.*

<sup>o</sup> Διὰ δὲ τοῦ φάναι τὸν Κύριον, Βόσκε τὰ ἀρνία μοῦ, ἀνανίσσοις ὅπερ τις τῆς ἡδη δοθείσης ἀποστολῆς αὐτῷ γενέσθαι νοέται.—Ibid.

the Apostles<sup>t</sup>; who, as St Jerome<sup>u</sup> speaketh, *'The princes of our discipline, and chieftains of Christian doctrine'*; they at their first vocation

*Matt. x. 6; ix. 36;* a commission and command to go unto the sheep of the house of Israel, that were scattered abroad like sheep not having a shepherd; *t xxviii. 19,* before our Lord's ascension were enjoined to *te*<sup>20.</sup> all nations the doctrines and precepts of Christ receive them into the fold, to feed them with good instruction, to guide and govern their converts *v* good discipline; hence, *All of them*, as St Cyprian saith, *were shepherds; but the flock did appone, which was fed by the Apostles with unanim agreement.*

6 Neither could St Peter's charge be more extensive, than was that of the other Apostles for they had a general and unlimited care of the whole Church; that is, according to their capacity and opportunity, none being exempted from it, needed or came into the way of their discharging pastoral offices for them: *They were ecumenical Rulers*, as St Chrysostom<sup>x</sup> saith, *appointed by (who did not receive several nations or cities, but of them in common were intrusted with the wo*

<sup>t</sup> *Paulus Apostolus boni pastoris implebat officium, quando Christum predicabat.*—*Aug. in Joh. Tract. XLVII. [Opp. Tom. col. 608 E.] Paul fulfilled the office of a good pastor, who preached Christ.*

<sup>u</sup> *Principes disciplinæ nostræ, et Christiani dogmatis ducti Hier. in Jovin. I. 14. [Opp. Tom. IV. p. ii. col. 168.]*

<sup>v</sup> *Pastores sunt omnes, et grecus unus ostenditur, qui ab Apostolis omnibus unanimi consensione pascatur.*—*De Unit. Eccl. [p. 195.]*

<sup>x</sup> *Ἄρχοντές εἰσιν ὑπὸ τοῦ Θεοῦ χειροτομθέντες οἱ ἀπόστολοι χορτεῖς, οὐκ ἔθηκαν πάλεις διαφόρους λαμβάνοντες, ἀλλὰ πάντες τὴν οἰκουμένην ἐμπιστευθέντες.*—*Opp. Tom. VIII. p. 115.*

hence particularly St Chrysostom calleth St John, *the pillar of the Churches over the world*<sup>7</sup>; and St Paul, *An Apostle of the world*<sup>8</sup>; *Who had the care not of one house, but of cities and nations, and of the whole earth*<sup>9</sup>; *Who undertook the world, and governed the Churches*<sup>10</sup>: *On whom the whole world did look, and on whose soul the care of all the Churches everywhere did hang*<sup>11</sup>; *Into whose hands were delivered the earth, and the sea, the inhabited and uninhabited parts of the world*<sup>12</sup>. And could St Peter have a larger flock committed to him? could this charge, *Feed my sheep*, more agree to him, than to those, who, no less than he, were obliged to feed all Christian people everywhere?

7 The words, indeed, are applicable to all Christian Bishops and governors of the Church; according to that of St Cyprian<sup>13</sup> to Pope Stephen himself; *We being many shepherds do feed one flock, and all the sheep of Christ*: for they are styled *pastors*; they, in terms as indefinite as those in this

<sup>7</sup> Ο στύλος τῶν κατὰ τὴν οἰκουμένην ἐκκλησιῶν.—Præf. Comment. ad Joh. [Opp. Tom. II. p. 555.]

<sup>8</sup> Καὶ γὰρ τῆς οἰκουμένης ἀπόστολος γένεται.—Id. in 1 Cor. ix. 2. [Opp. Tom. III. p. 373.]

<sup>9</sup> Οὗτος δὲ οὐκ οἰκλας μᾶς, ἀλλὰ καὶ πολέων, καὶ δήμων, καὶ ἔθνων, καὶ διοικήσεων τῆς οἰκουμένης τὴν φροντίδα ἔχων.—Id. in 2 Cor. xi. 28. [Opp. Tom. III. p. 679.]

<sup>10</sup> Τῆς οἰκουμένης ἀντιλαμβάνετο πάσης, καὶ διεκυβέρνα τὰς ἐκκλησίας.—Id. Tom. VIII. p. 115.

<sup>11</sup> Η οἰκουμένη πᾶσα πρὸς αὐτὸν ἔβλεπεν, αἱ φροντίδες τῶν πανταχοῦ τῆς γῆς ἐκεληστῶν τῆς ἐκείνου ψυχῆς ἥσαν ἔξηργμέναι.—Id. Or. LIX. Tom. V. [p. 402.]

<sup>12</sup> Ο Μιχαὴλ τὸ τῶν Ἰουδαίων ἔθνος ἐνεχειρίσθη. Παῦλος δὲ γῆν, καὶ διδαστας, καὶ τὴν οἰκουμένην, καὶ τὴν δοίκητον.—Id. Tom. VIII. p. 39.

<sup>13</sup> Nam etsi pastores multi sumus, unum tamen gregem pascimus, et oves universas quas Christus sanguine suo et passione quassavit colligere.—Ep. lxvii. ad P. Steph. [Opp. p. 116.]

Acts xx. 28. text, are exhorted *To feed the Church of he hath purchased with his own blood* (as the Fathers commonly suppose) thi doth reach, our Lord, when He spake Peter, intending to lay a charge on t express their love and piety toward l way, by feeding his sheep and peopl sheep, saith St Ambrose<sup>6</sup>, and which flo then St Peter did receive, but also with priests did receive it. Our Lord, saith tom<sup>b</sup>, did commit His sheep to Peter, a which came after him; that is, to all Ch tors, as the scope of his discourse shew it is said to Peter, saith St Austin<sup>i</sup>, i all, Feed my sheep. And we, saith St taught this (obedience to superiors) by self constituting St Peter pastor after hi Church (for, Peter, saith he, dost thou lo

<sup>i</sup> Quanto magis debent usque ad mortem pro ve et usque ad sanguinem adversus peccatum, quibus cendas, hoc est docendas regendasque committit?—Tract. cxxiii. [Opp. Tom. iii. col. 818 f.] How mu they to contend for the truth even unto death, and a man bleed to whom he committeth his charge to be. C



*ian these? Feed my sheep;) and conferring to all pastors and teachers continually afterward an equal power (of doing so;) whereof it is a sign, that all so in like manner bind and loose as he.* St Austin compriseth all these considerations in those words<sup>1</sup>: *And indeed, brethren, this, that he is a pastor, he gave also to his members; for both Peter was a pastor, and Paul a pastor, and the rest of the Apostles pastors, and good Bishops are pastors.*

How could these great masters more clearly express their mind, that our Lord in those words to St Peter did inculcate a duty nowise peculiar to him, but equally together with him belonging to all guides of the Church; in such manner, as when a master doth press a duty on one servant, he doth thereby admonish all his servants of the like duty? Whence St Austin saith<sup>m</sup>, that St Peter in that case did sustain the person of the Church; that which was spoken to him belonging to all its members, especially to his brethren the clergy. *It was, saith Cyril<sup>n</sup>, a lesson to teachers, that*

<sup>1</sup> *Et quidem, fratres, quod pastor est, dedit et membris suis; nam et Petrus pastor, et Paulus pastor, et cæteri Apostoli pastores, et boni Episcopi pastores.*—In Joh. Tract. xlvi. [Opp. Tom. III. col. 608 D.]

<sup>m</sup> *Ut ergo Petrus quando ei dictum est, Tibi dabo claves, in figura personam gestabat Ecclesie, sic et quando ei dictum est, Pasc oves mea, Ecclesie quoque personam in figura gestabat.*—In Pa. cviii.

<sup>n</sup> *Οὐ πρὸς λεπέας δὲ τοῦτο μόνον ἐργηται, ἀλλὰ καὶ πρὸς ἔκαστον ἡμῶν τῷ καὶ μηρῷ ἐμπεπιστευμένον πομπον.*—Chrys. in Matt. Hom. LXXVII. [Opp. Tom. II. p. 486.] *This was spoken, not to priests only, but to every one of us, who have the care even of a little flock committed to us.*

<sup>o</sup> *Διδασκάλοις δὲ γνώσις διὰ τῆς τῶν προκειμένων εἰσβέβηκε θεωρίας, οἵ τις ἀνέτέρως εὐαρεστήσειν τῷ πάντων ἀρχηγούμενι, τοῦτ' ἐστι Χριστός, εἰ μή τῆς τῶν λογικῶν προβάτων εύρωστίς, καὶ τῆς εἰς τὸ εὖ ἡμαρτηῆς ποιοῦστο φροντίδα.*—[In loc. Opp. Tom. VI. p. 1119 D.]

*they cannot otherwise please the Arch-pastor of all, than by taking care of the welfare of the rational sheep.*

8 Hence it followeth, that the sheep, which our Saviour biddeth St Peter to feed, were not the Apostles, who were his fellow-shepherds, designed to feed others, and needing not to be fed by him; but the common believers, or people of God, which

<sup>1 Pet. v. 2.</sup> St Peter himself doth call the flock of God: *Feed, saith he to his fellow-elders, the flock of God, which is among you;* and St Paul, *Take heed therefore unto yourselves, and to all the flock, over which the Holy Ghost hath made you overseers.*

<sup>Acts xx.  
28.</sup>

9 Take feeding for what you please; for teaching, for guiding; the Apostles were not fit objects of it, who were immediately taught and guided by God himself.

Hence we may interpret that saying of St Chrysostom<sup>o</sup>, which is the most plausible argument they can allege for them, that our Lord, in saying this, did commit to St Peter a charge (or presidency) over his brethren; that is, he made him a pastor of Christian people, as he did others; at least, if *προστασία τῶν ἀδελφῶν* be referred to the Apostles, it must not signify authority over them, but at most a primacy of order among them; for that St Peter otherwise should feed them, St Chrysostom could hardly think, who presently after saith, that *Seeing the Apostles were to receive the administration of the whole world, they ought not afterwards to converse with one another; for that*

<sup>o</sup> Ἐγχειρίζεται τὴν προστασίαν αὐτῷ τῶν ἀδελφῶν.—In Joh. xii. 15. [Opp. Tom. II. p. 927.] Τὴν προστασίαν ἐνεπιστεύθη τῶν ἀδελφῶν.—In ver. 21. [p. 929.]

ould surely have been a great damage to the world<sup>P</sup>.

10 But they, forsooth, must have St Peter solely obliged to feed all Christ's sheep; so they did impose upon him a vast and crabbed province; a task very incommodious, or rather impossible for him to undergo. How could he in duty be obliged, how could he in effect be able, to feed so many flocks of Christian people scattered about in distant regions, through all nations under heaven? He, poor man, that had so few helps, that had no officers or dependents, nor wealth to maintain them, would have been much put to it to feed the sheep in Britain and in Parthia; unto infinite distraction of thoughts such a charge must needs have engaged him.

But for this their great champion hath a fine expedient; *St Peter, saith he, did feed Christ's whole flock, partly by himself, partly by others*<sup>q</sup>; so that, it seemeth, the other Apostles were St Peter's curates, or vicars and deputies. This, indeed, were an easy way of feeding; thus, although he had slept all his time, he might have fed all the sheep under heaven; thus any man as well might have fed them. But this manner of feeding is, I fear, a later invention, not known so soon in the Church; and it might then seem near as absurd to be a shepherd, as it is now (in his own account) to be a just man by imputation; that would be a kind of

<sup>P</sup> Ἐπειδὴ γὰρ ἔμελλον τῆς οἰκουμένης τὴν ἀπιτροπὴν ἀναδέξασθαι, οὐδὲ οὐσιωτεράχθαι λουπὸν ἀλλήλοις. ή γὰρ ἀν μεγάλη τοῦτο τῇ οἰκουμένῃ γέγονε ζημία.—Ibid. ver. 23. [p. 929.]

<sup>q</sup> Respondeo, S. Petrum partim per se, partim per alios universum Dominicum gregem, ut sibi imperatum fuerat, pavisse.—Bell. de S. Pont. i. 16. [§ 18.]

putative pastorage, as this a putative righteousness. However, the Apostles, I dare say, did not take themselves to be St Peter's surrogates, but challenged to themselves to be accounted *The ministers*<sup>1</sup> of Christ. *The stewards, The ambassadors of Christ himself*<sup>2</sup> x. 8. Gal. i. 1. Tit. i. 3, &c. from whom immediately they received their orders in whose name they acted, to whom they constantly refer their authority, without taking the least notice of St Peter, or intimating any dependence on him.

It was therefore enough for St Peter that he had authority restrained to no place; but might as he found occasion, preach the Gospel, convert, confirm, guide Christians everywhere to truth and duty; nor can our Saviour's words be forced to signify more.

In fine, this (together with the precedent testimonies) must not be interpreted so as to thwart practice and history; according to which it appear-  
eth, that St Peter did not exercise such a power, and therefore our Lord did not intend to confer such an one upon him.

IV. Further, in confirmation of their doctrine, they do draw forth a whole shoal of testimonies,

him, they can descry some argument or shrewd insinuation of his pre-eminence; especially being aided by the glosses of some fanciful expositor. From the change of his name; from his walking on the sea; from his miraculous draught of fish; from our Lord's praying for him, that his faith should not fail, and bidding him to confirm his brethren; from our Lord's ordering him to pay the tribute for them both; from our Lord's first washing his feet, and his first appearing to him after the resurrection; from the prediction of his martyrdom; from sick persons being cured by his shadow; from his sentencing Ananias and Sapphira to death; from his preaching to Cornelius; from its being said that he passed through all; from his *Acts ix. 32.* being prayed for by the Church; from St Paul's going to visit him; from these passages, I say, they deduce or confirm his authority. Now in earnest, is not this stout argument? Is it not egregious modesty for such a point to allege such proofs? What cause may not be countenanced by such rare fetches? Who would not suspect the weakness of that opinion, which is fain to use such forces in its maintenance? In fine, is it honest or conscientiable dealing, so to wrest or play with the Holy Scripture, pretending to derive thence proofs, where there is no show of consequence?

To be even with them, I might assert the primacy of St John, and to that purpose might allege his prerogatives, (which, indeed, may seem greater than those of St Peter;) namely, that he was the *John xiii.* beloved disciple, that he leaned on our Lord's <sup>23, 24.</sup> breast; that St Peter, not presuming to ask our Lord a question, desired him to do it, as having

a more special confidence with our Lord; that St John did higher service to the Church, and all posterity, by writing not only more Epistles, but also a most divine Gospel, and a sublime prophecy concerning the state of the Church"; that St John

*John xx. 4.* did outrun Peter, and came first to the sepulchre, (in which passage such acute devisers would find out marvellous significancy;) that St John was a virgin; that he did outlive all the Apostles, (and thence was most fit to be universal pastor;) that St Jerome, comparing Peter and John, doth seem to prefer the latter: for *Peter, saith he, was an Apostle, and John was an Apostle; but Peter was only an Apostle; John both an Apostle and an Evangelist, and also a Prophet;*—*And, saith he, that I may in brief speech comprehend many things, and shew what privilege belongeth to John—yea, virginity in John; by our Lord a virgin, his mother the virgin, is commended to the virgin disciple.* Thus I might by prerogatives and passages very notable infer the superiority of St John to St Peter, in imitation of their reasoning; but I am afraid there would scarce be at the trouble to

V. They argue this primacy from the constant placing St Peter's name before the other Apostles, in the catalogues and narrations concerning him and them.

To this I answer:

1 That this order is not so strictly observed, as not to admit some exceptions; for St Paul saith, that *James, Cephas, and John, knowing the place given unto him*—so it is commonly read in the ordinary copies, in the text of ancient commentators, and in old translations; and, *Whether Paul, whether Apollos, whether Cephas*, saith St Paul again; and, *As the other Apostles, and the brethren of the Lord, and Cephas*; and, *Philip, saith St John, was of Bethsaida, the city of Andrew and Peter*; and Clemens Alexandrinus in Eusebius saith, *That the Lord, after his resurrection, delivered the special knowledge to James the Just, and to John, and to Peter*<sup>22</sup>; postponing St Peter, as perhaps conceiving him to have less of sublime revelations imparted to him: that order therefore is not so punctually constant.

In the Apostolical Constitutions, St Paul and St Peter being induced jointly prescribing orders, they begin, *I Paul, and I Peter, do appoint*<sup>23</sup>; so little ambitious or curious of precedence are they represented.

2 But it being, indeed, so constant, as not to seem casual, I further say, that position of names doth not argue difference of degree, or superiority

<sup>22</sup> Ιακώβῳ τῷ δικαίῳ καὶ Ἰωάννῃ καὶ Πέτρῳ μετὰ τὴν διάστασιν πέδης τῷ γνώσιν δό Κύρος.—Euseb. Hist. Eccl. II. 1.

<sup>23</sup> Ἐγώ Παῦλος καὶ δύο Πέτρος διατασσόμεθα.—Const. Apost. VIII. [Cotel. Pat. Apost. Tom. I. p. 414.]

in power; any small advantage of age, standing, merit, or wealth, serving to ground such precedent, as common experience doth shew.

3 We formerly did assign other sufficient and probable causes why St Peter had this place. So that this is no cogent reason.

VI. Further, (and this, indeed, is far their most plausible argumentation,) they allege the titles and elogies given to St Peter by the Fathers, who call him *έξαρχον*, (the prince,) *κορυφαῖον*, (the ringleader,) *κεφαλὴν*, (the head,) *πρόεδρον*, (the president,) *ἀρχηγὸν*, (the captain), *προτίγορον*, (the prolocutor,) *πρωτοστάτην*, (the foreman,) *προστάτην*, (the warden,) *τῶν ἀγίων ἀποστόλων ἔκπρετον*, (the choice, or egregious Apostle,) *Majorem*, (the greater, or grandee among them,) *Primum*, (the first, or prime Apostle\*).

To these and the like allegations I answer:

1 If we should say, that we are not accountable for every hyperbolical flash or flourish occurring in the Fathers\*, (it being well known, that they in their encomiastic speeches, as orators are wont following the best and manner of former

that they do sometimes speak in way of excess, properly, less warily, so as to need benign composition, &c. as Bishop Andrews sheweth<sup>c</sup>; and is a common shift of Cardinal Perron, whereof you may see divers instances alleged by M. Daillé<sup>d</sup>.

Which observation is especially applicable to this case; for that eloquent men do never more succeed in their indulgence to fancy, than in the demonstrative kind, in panegyrics, in their commendations of persons; and I hope they will embrace this way of reckoning for those expressions of Pope Leo, sounding so exorbitantly, that St Peter was by our Lord assumed into consortship of his individual unity<sup>e</sup>; and that nothing did pass upon any from God, the fountain of good things, without the participation of Peter<sup>f</sup>.

2 We may observe, that such turgid elogies of St Peter are not found in the more ancient Fathers; for Clemens Romanus, Irenæus, Clemens Alexandrinus, Tertullian, Origen, Cyprian, Firmilian—when they mention St Peter, do speak more temperately and simply, according to the current notions and traditions of the Church in their time; using, indeed, fair terms of respect, but not such high strains of courtship, about him. But

<sup>c</sup> Tort. Tort. p. 338.

<sup>d</sup> Daillé. de Us. P. Lib. i. cap. 6. p. 158. (et p. 314.)

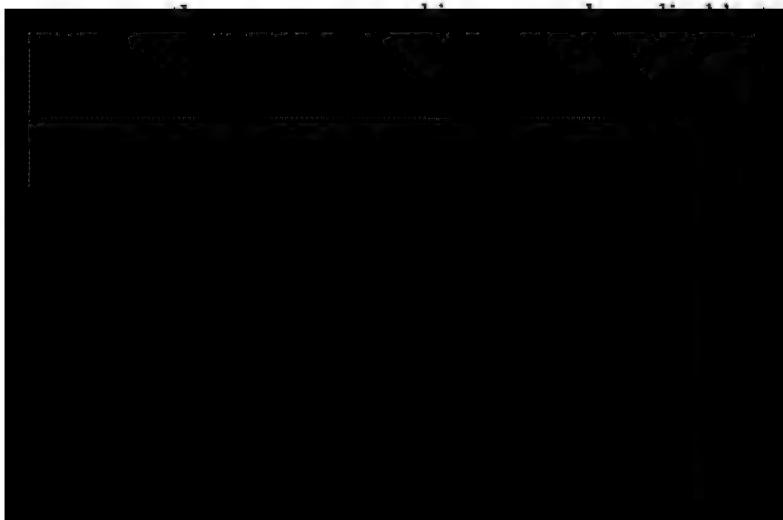
<sup>e</sup> Hunc enim in consortium individus unitatis assumptum, id quod ipse erat, voluit nominari, dicendo: *Tu es Petrus*, &c.—P. Leo L [Ep. x. Opp. Tom. i. col. 633.]

<sup>f</sup> Cum multo utilius multoque sit dignius ad Beatissimi Petri Apostoli gloriam contemplandam aciem mentis attollere—qui ab ipso omnium charismatum fonte tam copiosis est irrigationibus inundatus; ut cum multa solus acceperit, nihil in quemquam sine ipsius participatione transierit.—Id. [In Anniver. die ejusd. Assumpt. Serm. iv. Opp. Tom. i. col. 16.]

they are found in the latter Fathers, who be men of wit and eloquence, and affecting in their discourses to vent those faculties, did speak n out of their own invention and fancy. Whe according to a prudent estimation of things in a case, the silence or sparingness of the first is of more consideration on the one hand, t the speech, how free soever, of the latter is on other hand: and we may rather suppose t titles do not belong to St Peter, because the do not give them, than that they do, because other are so liberal in doing it.

Indeed, if we consult the testimonies of this alleged by the Romanists, who with their utr diligence have raked all ancient writings for t it is strange that they cannot find any very anc ones; that they can find so few plausible ones; they are fain (to make up the number) to produc many, which evidently have no force or pertine being only commendations of his Apostolical of or of his personal merits, without relation to otl

3 We say, that all those terms or titles, w



elpitius of the lawyers? The same great speaker<sup>h</sup> calleth Pompey *Prince of the city in all men's judgment*: doth he mean, that he did exercise jurisdiction over the city? Tertullus calleth St Paul, *πρωτοστάτην, A ringleader of the sect of the Nazarenes*; and St Basil calleth Eustathius Sebastenus, *Foreman of the sect of the Pneumatomachi*<sup>i</sup>: did Tertullus mean that St Paul had universal jurisdiction over Christians? or St Basil, that Eustathius was sovereign of those heretics? So neither did *Prince of the Apostles*, or any equivalent term, in the sense of those who assigned it to St Peter, import authority over the Apostles, but eminency among them in worth, in merit, in Apostolical performances, or at most in order of precedence.

Such words are to be interpreted by the state of things, not the state of things to be inferred from them; and in understanding them we should observe the rule of Tertullian<sup>j</sup>: *I had rather you would apply yourself to the sense of the thing, than to the sound of the word.*

4 Accordingly the Fathers sometimes do explain those elegies signifying them to import the special gifts and virtues of St Peter, wherein he did excel; so Eusebius calleth St Peter *The most*

<sup>h</sup> *Quem omnium judicio longe principem esse civitatis videbat. —Principem orbis terrae virum.* —Cic. pro Domo sua.

<sup>i</sup> *Πρωτοστάτην τῆς τῶν πνευματομάχων αἵρεσεως.* —Bas. [Ep. cclxiii. Opp. Tom. III. p. 406 c.]

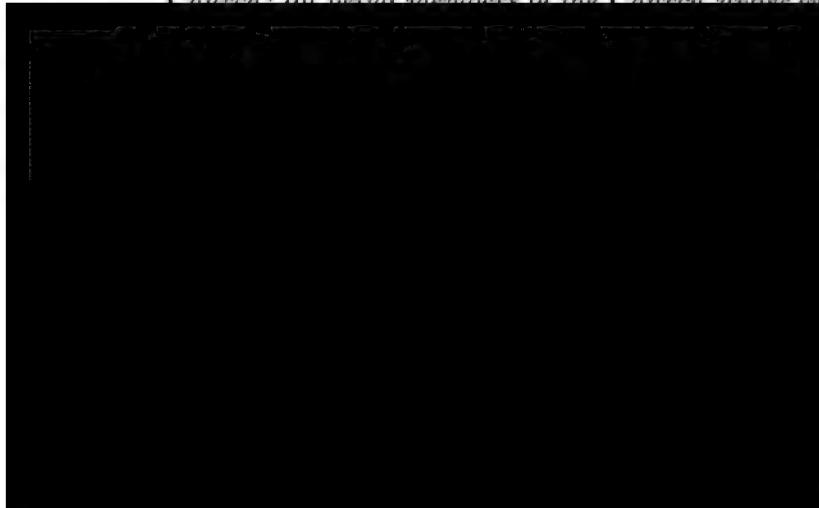
<sup>j</sup> *Malo te ad sensum rei, quam ad sonum vocabuli exerceas.* —Adv. Prax. cap. III. [Opp. p. 502 c.]

*Οὐ γάρ εἰ λέξεις τὴν φύσιν παραιροῦνται· ἀλλὰ μᾶλλον ἡ φύσις τὰ λέξεις εἰς ἑαυτὴν ἔλκουσα μεταβάλλει.* —Athan. [Orat. II. con. Arian. Opp. Tom. I. p. 471 A.] *For words do not take away the nature of things, but the nature rather changes the words, and draws them to itself.*

*excellent and great Apostle, who for his virtue was  
prolocutor of the rest<sup>k</sup>.*

5 This answer is thoroughly confirmed from hence; that even those who give those titles to St Peter, do yet expressly affirm other Apostles in power and dignity equal to him.

Who doth give higher elogies to him than St Chrysostom? yet doth he assert all the Apostles to be supreme, and equal in dignity; and particularly he doth often affirm St Paul to be ~~more~~ equal in honour to St Peter, as we before shewed. The like we declared of St Jerome, St Cyril, &c. And as for St Cyprian, who did allow a primacy to St Peter, nothing can be more evident than that he took the other Apostles to be equal to him in power and honour. The like we may conceive of St Austin, who, having carefully perused those writings of St Cyprian, and frequently alleging them, doth never contradict that his sentiment. Even Pope Gregory himself acknowledgeth St Peter not to have been properly the head, but only *The first member of the universal Church: all being members of the Church under one*



en; according to that certain maxim of Aristotle: *every man is a bad judge in his own case.*

7 The ancients, when their subject doth allure hem, do adorn other Apostles with the like titles, squalling those of St Peter, and not well consistent with them, according to that rigour of sense which our adversaries affix to the commendations of St Peter.

The Epistle of Clemens Romanus to St James, (an apocryphal but ancient writing,) calleth St James our Lord's brother, *The Bishop of Bishops*<sup>m</sup>; the Clementine Recognitions call him *The prince of Bishops*<sup>n</sup>; Ruffinus, in his translation of Eusebius, *The Bishop of the Apostles*<sup>o</sup>; St Chrysostom<sup>p</sup> saith of him, that *He did preside over all the Jewish believers*; Hesychius, Presbyter of Jerusalem, calleth him *The chief captain of the new Jerusalem, the captain of priests, the prince of the Apostles, the top among the heads*<sup>q</sup>, &c. The same Hesychius, calleth St Andrew, *The firstborn of the Apostolical choir, the first settled pillar of the Church, the Peter before Peter, the foundation of the foundation, the firstfruits of the beginning*, &c. St Chrysostom

<sup>m</sup> Κλήμης Ἰακώβῳ——ἐπισκόπων ἐπισκόπῳ. — [Clement. Cotel. Pat. Apost. Tom. I. p. 605.]

<sup>n</sup> Jacobum Episcoporum principem, sacerdotum princeps orabat. — Clem. Rec. I. 68. [Cotel. Pat. Apost. Tom. I. p. 503.]

<sup>o</sup> Apostolorum Episcopus. — Ruf. Euseb. II. 1. It is likely that Ruffinus did call him so, by mistaking that in the Apostolical Constitutions; Υπὲρ τοῦ ἐπισκόπου ήμῶν Ἰακώβου. — Apost. Const. VIII. 10. [Tom. I. p. 326.]

<sup>p</sup> Τῶν ἐξ Ἰουδαίων πιστευσάντων προειστήκει πάντων. — Opp. Or. II. Opp. Tom. V. [p. 406.]

<sup>q</sup> Τὸν τῆς νίας Ἰερουσαλήμ ἀρχιστράτηγον, τὸν τῶν Ἱερέων ἡγέμονα, τὸν ἀποστόλων τὸν ἔπαρχον, τὸν ἐν κεφαλαίς κορυφήν, &c. — Apud Phot. Biblioth. Cod. CCLXXV. p. 152b.

<sup>r</sup> Ο τοῦ χοροῦ τῶν ἀποστόλων πρωτότοκος, ὁ πρωτοπαγής τῆς

saith of St John, that he was *A pillar of the Churches through the world, he that had the key of the kingdom of heaven*<sup>4</sup>, &c.

But as occasion of speaking about St Paul was more frequent, so the elogies of him are more copious, and, indeed, so high as not to yield to those of St Peter.

*He was, saith St Chrysostom<sup>5</sup>, the ringleader and guardian of the choir of all the saints. He was the tongue, the teacher, the Apostle of the world. He had the whole world put into his hands, and took care thereof, and had committed to him all man-dwelling upon earth. He was the light of the Churches, the foundation of faith, the pillar and ground of truth<sup>6</sup>. He had the patronage of the world committed into his hands<sup>7</sup>. He was better than all men, greater than the Apostles, and sur-*

ἐκκλησίας στύλος, δ πρὸς Πέτρου Πέτρος, δ τοῦ θεμέλιου θεμέλιος, δ τὸν ἀρχῆς ἀπαρχή.—Αριδ Phot. Biblioth. Cod. ccclxxix. [p. 1488.]

<sup>5</sup> Ο στύλος τῶν κατὰ τὴν οἰκουμένην ἐκκλησιῶν, δ τὰς εἰδίες ἡ τῶν οὐρανῶν, &c.—In Joh. i. 1. [Opp. Tom. II. p. 555.]

<sup>6</sup> Ο τῶν ἀγίων χοροῦ κορυφαῖος καὶ προστάτης.—In Rom. x. xxxiii. [Opp. Tom. III. p. 240.]

*kissing them all<sup>1</sup>. Nothing was more bright, nothing more illustrious than he<sup>2</sup>. None was greater than he, yea none equal to him<sup>3</sup>. Pope Gregory I. saith of St Paul, that *He was made head of the nations, because he obtained the principate of the whole Church<sup>4</sup>*.*

These characters of St Paul I leave them to interpret, and reconcile with those of St Peter.

8 That the Fathers, by calling St Peter prince, chieftain, &c. of the Apostles, do not mean authority over them, may be argued from their joining St Paul with him in the same appellations; who yet surely could have no jurisdiction over them;

<sup>1</sup> Πάντων ἀνθρώπων κρείττων.—De Sacerd. iv. [Opp. Tom. vi. p. 37.]

Τίς οὖν ἀπάντων ἀνθρώπων ἀμείνων; τίς δὲ ἔτερος, ἀλλ' ἡ δ σκηνοῦσσις ἑκένος, δ τῆς οἰκουμένης διδάσκαλος—Ἐλ τοίνυν μείζονα τῶν ἀνθρώπων λαμβάνει στέφανος, τῶν δὲ ἀποστόλων ἵστος οὐδεὶς γέγονε, ὅτε δὲ κάκείων μείζων, εὐδηλον ὅτι τῆς ἀνωτάτω ἀπολαύσεται τιμῆς μὲν πρεσβείας.—Or. xxxiii. Opp. Tom. v. [p. 209.] *Who then was better than all other men? who else but that tent-maker, the teacher of the world?*—*If therefore he receives a greater crown than the Apostles, and none perhaps was equal to the Apostles, and yet he greater than they, it is manifest, that he shall enjoy the highest honour and pre-eminence.*

<sup>2</sup> Παύλου λαμπτότερον οὐδὲν ἦν, οὐδὲ περιφανεστέρον.—Or. xlviil. Opp. Tom. v. [p. 316.]

<sup>3</sup> Οὐδεὶς δὲ ἑκένου μείζων, ἀλλ' οὐδὲ Ἰησος δοτί.—Or. ix. Opp. Tom. vi. [p. 97.]

Οὐδεὶς Παύλου Ἰησος ἦν.—In 2 Tim. Or. viii. [Opp. Tom. iv. p. 367.]  
<sup>4</sup> Ο πάντοφος, δ τῶν ἑκαλησιῶν ἀριστος ἀρχιτέκτων.—Theodor. Ep. cclvi. [Opp. Tom. iii. p. 1033 d.] *The most wise, and best architect, or chief builder of the Churches.*

<sup>1</sup> Ο πατέρων ἀπόστολος, δ τῶν πατέρων πατήρ.—Just. M. Resp. ad Orthodox. Qu. cxix. [Opp. (App.) p. 529 b.] *The blessed Apostle, the father of the fathers.*

<sup>2</sup> Caput effectus est nationum, quia obtinuit totius Ecclesiae principatum.—Greg. M. in 1 Reg. Lib. iv. Videsis. [cap. 4, § 28. Opp. Tom. iii. col. 250 c.]

Paulus Apostolorum princeps.—Archipres. Spalaten. Orat. in Lateran. Syn. sub P. Jul. II. Sess. I. [Bin. Tom. ix. p. 25, c. 12.]

and his having any would destroy the pretended ecclesiastical monarchy.

St Cyril calleth them together *Patron, or presidents of the Church*<sup>a</sup>. St Austin (or St Ambrose or Maximus) calleth them, *Princes of the Churches*<sup>b</sup>. The Popes Agatho and Adrian (in their general Synods) called them, *The ringleading Apostles*<sup>c</sup>. The Popes Nicholas I. and Gregory VII., &c. call them, *Princes of the Apostles*<sup>d</sup>. St Ambrose, or St Austin, or St Maximus Taurinensis (choose you which,) doth thus speak of them: *Blessed Peter and Paul are most eminent among all the Apostles, excelling the rest by a kind of peculiar prerogative: but whether of the two be preferred before the other is uncertain; for I count them to be equal in merit, because they are equal in suffering*<sup>e</sup>, &c.

<sup>a</sup> Πέτρος καὶ Παῦλος——οἱ τῆς ἐκκλησίας προστάται. — Cyril. His. Catech. vi. [Opp. p. 96 v.]

<sup>b</sup> Ecclesiarum principes. — Aug. de Sanct. xxvii. [Serm. ccii Opp. Tom. v. (App.) col. 336 c.]

<sup>c</sup> Κορυφαῖοι ἀποστόλοι. — P. Agatho, in Syn. vi. Act. iv. [Bla Tom. v. p. 35 F.] [——τοῖς μακαρίοις λειτουργοῖς Πέτρῳ καὶ Παύλῳ τοῖς τῶν ἀποστόλων κορυφαῖοι. — Mans. Conc. Tom. xi. col. 288 v.]

P. Adrian in Syn. vii. Act. ii. [lb. p. 554 v.] [——τῇ παράδει

ll this discourse I shall only add, that if  
e Apostles, or Apostolical men, might claim  
ancy or authoritative headship over the rest,  
s seemeth to have the best title thereto;  
*salem was the mother of all Churches*<sup>1</sup>, the *Isai. ii. 3.*  
of the Christian law and doctrine, the See *Luke xxiv.*  
ord himself, the chief Pastor. He there-<sup>47</sup>  
o, as the Fathers tell us, was by our Lord  
constituted Bishop of that city<sup>2</sup>, and the  
all Bishops, might best pretend to be in  
nanner our Lord's vicar or successor: *He,*  
*piphanius, did first receive the episcopal*  
*nd to him our Lord first did intrust his*  
*one upon earth*<sup>3</sup>. He accordingly did first  
the authority of presiding and moderating  
rst ecclesiastical Synod, as St Chrysostom  
otes thereon doth remark. He therefore  
y by St Paul is first named in his report  
ng the passages at Jerusalem; and to *Gal. ii. 9.*  
rs it seemeth that St Peter himself did

*roces Ecclesiae, ex qua habuit omnis Ecclesia initium.—*  
2. [p. 195.] *These are the words of the Church, from*  
*which Church had its beginning.*

*ia in Hierusalem fundata totius orbis Ecclesias seminavit.*  
*in Isai. ii. [Opp. Tom. II. col. 23.] The Church founded*  
*in was the seminary of the Churches throughout the whole*

or. Eccl. Hist. v. 9. [Opp. Tom. III. p. 717 D. *Tῆς δὲ μητρὸς*  
*τῆς Ἐκκλησιῶν τῆς ἐν Ἱεροσολύμοις*—.—Vide Tertull. de  
p. xx. [Opp. p. 208 D.]  
τα ἀφθη Ἰακώβῳ, ἐμοὶ δοκεῖ, τῷ ἀδελφῷ αὐτοῦ. αὐτὸς γὰρ  
τα κεχειροτονηκέναι, καὶ ἐπίσκοπον ἐν Ἱεροσολύμοις πεποιη-  
σσ. —Chrys. in 1 Cor. Or. xxxviii. [Opp. Tom. III. p. 498.]  
*he was seen of James, I suppose, his brother; for he is said*  
*lained him, and made him the first Bishop of Jerusalem.*  
*τος αὐτος ἐληφε τὴν καθέδραν τῆς ἐπισκοπῆς, φ πεπίστευκε*  
*θρόνον αὐτοῦ ἐπὶ τῆς γῆς πρώτῳ. —Hier. LXXVIII. [Lib. III.*  
*1. 1039 C.]*

Gal. ii. 12. conform; for it is said there, that *Before certain came from St James, he did eat with the Gentiles but when they were come, he withdrew.* Hence in the Apostolical Constitutions, in the prayer prescribed for the Church, and for all the governors of it, the Bishops of the principal Churches being specified by name, St James is put in the first place, before the Bishops of Rome and of Antioch: *Let us pray for the whole episcopacy under heaven, of those who rightly dispense the word of thy truth; and let us pray for our Bishop James, with all his parishes; let us pray for our Bishop Clemens, and all his parishes; let us pray for Euodius, and all his parishes.*—Hereto consenteth the tradition of those ancient writers afore-cited, who call St James *The Bishop of Bishops, The Bishop of the Apostles, &c.*

#### SUPPOSITION II.

I proceed to examine the next supposition of the Church-Monarchs, which is, That St Peter's primacy, with its rights and prerogatives, was not personal, but derivable to his successors.

*privilege doth follow the person, and is extinguished with the person<sup>k</sup>;* and such we affirm that of St Peter; for,

1 His primacy was grounded upon personal acts, (such as his cheerful following of Christ, his faithful confessing of Christ, his resolute adherence to Christ, his embracing special revelations from God;) or upon personal graces, (his great faith, his special love to our Lord, his singular zeal for Christ's service;) or upon personal gifts and endowments, (his courage, resolution, activity, forwardness in apprehension and in speech;) the which advantages are not transient, and consequently a pre-eminency built on them is not in its nature such.

2 All the pretence of primacy granted to St Peter is grounded upon words directed to <sup>Matt. xvi.</sup> St Peter's person, characterized by most personal <sup>John xxi.</sup> adjuncts, as name, parentage, and which exactly <sup>15—17.</sup> were accomplished in St Peter's personal actings; which therefore it is unreasonable to extend further.

Our Lord promised to Simon, son of Jona, to <sup>Matt. xvi.</sup> <sub>18.</sub> build his Church on him: accordingly in eminent manner the Church was founded upon his ministry, or by his first preaching, testimony, performances.

Our Lord promised to give him the keys of the heavenly kingdom: this power St Peter signally did execute in converting Christians, and receiving them by Baptism into the Church, by conferring the Holy Ghost, and the like administrations.

Our Lord charged Simon, son of Jonas, to feed <sup>John xxi.</sup> <sub>15.</sub> His sheep: this he performed by preaching, writing,

<sup>k</sup> *Privilegium personale personam sequitur, et cum persona extinguitur.—Reg. Juris vii. in Sexto. (Corp. Jur. Can. Tom. ii. p. 348.)*

guiding, and governing Christians, as he found opportunity: wherefore, if anything was couched under those promises or orders singularly pertaining to St Peter, for the same reason that they were singular, they were personal; for these things being in a conspicuous manner accomplished in St Peter's person, the sense of those words is exhausted; there may not with any probability, there cannot with any assurance, be any more grounded on them; whatever more is inferred must be by precarious assumption; and justly we may cast at those who shall infer it that expostulation of Tertullian<sup>1</sup>, *What art thou, who dost overturn and change the manifest intention of our Lord, personally conferring this on Peter?*

3 Particularly the grand promise to St Peter of founding the Church on him cannot read beyond his person; because there can be no other foundations of a society, than such as are first laid; the successors of those who first did erect a society, and establish it, are themselves but superstructures.

To that office it was requisite, that the person should have an immediate designation and commission from God; such as St Paul so often doth insist upon for asserting his title to the office; *Paul, an Apostle, not from men, or by man—Not Gal. i. 1. by men, saith St Chrysostom<sup>m</sup>; this is a property of the Apostles.*

It was requisite, that an Apostle should be able to attest concerning our Lord's resurrection or ascension, either immediately, as the twelve, or by evident consequence, as St Paul; thus St Peter implied, at the choice of Matthias: *Wherefore of Acts i. 21, those men which have companied with us—must<sup>22.</sup> one be ordained to be a witness with us of his resurrection:* and, *Am I not, saith St Paul, an<sup>1 Cor. ix. 1; xv. 8.</sup> Apostle? have I not seen the Lord?* according to that of Ananias: *The God of our fathers hath<sup>Acts xxii. 14, 15.</sup> chosen thee, that thou shouldest know his will, and see that Just One, and shouldest hear the voice of his mouth; for thou shalt bear witness unto all men of what thou hast seen and heard.*

It was needful also, that an Apostle should be endowed with miraculous gifts and graces, enabling him both to assure his authority and to execute his office; wherefore St Paul calleth these *The marks<sup>2 Cor. xii. 12.</sup> of an Apostle, the which were wrought by him<sup>Rom. xv. 18, 19.</sup> among the Corinthians in all patience, (or perseveringly,) in signs, and wonders, and mighty deeds.*

It was also, in St Chrysostom's opinion, proper to an Apostle, that he should be able, according to his discretion, in a certain and conspicuous manner

<sup>m</sup> Τὸ δὲ, οὐ δι' ἀνθρώπων, τοῦτο θεον τῶν ἀποστόλων.—In Gal. i. 1. [Opp. Tom. iii. p. 711.]

to impart spiritual gifts; as St Peter and St John did at Samaria; which to do, according to the Father, was the peculiar gift and privilege of the Apostles<sup>n</sup>.

It was also a privilege of an Apostle, by virtue of his commission from Christ, to instruct all nations in the doctrine and law of Christ; he had right and warrant to exercise his function everywhere; his charge was universal and indefinite; the whole world was his province<sup>o</sup>; he was not affixed to any one place, nor could be excluded from any; he was (as St Cyril<sup>p</sup> calleth him) *An ecumenical judge, and an instructor of all the subcelestial world*.

Apostles also did govern in an absolute manner, according to discretion, as being guided by infallible assistance, to the which they might upon occasion appeal, and affirm, *It hath seemed good to the Holy Ghost and us*. Whence their writings have passed for inspired, and therefore canonical, or certain rules of faith and practice.

It did belong to them to found Churches, to constitute pastors, to settle orders, to correct offences, to perform all such acts of correction and

Matt.  
xxviii. 19.

Acts xv.  
28.

*according to the authority which the Lord had given* <sup>2 Cor. x. 8.</sup> *in for edification;* as we see practised by St Paul.

In fine, *The Apostleship was, as St Chrysostom<sup>4</sup> calleth us, a business fraught with ten thousand odd things; both greater than all privileges of race, and comprehensive of them.*

Now such an office, consisting of so many extraordinary privileges and miraculous powers, which were requisite for the foundation of the Church, and the diffusion of Christianity, against the manifold difficulties and disadvantages which it then needs must encounter, was not designed to continue by derivation; for it containeth in it divers things, which apparently were not communicated, and which no man without gross imposture and hypocrisy could challenge to himself.

Neither did the Apostles pretend to communicate it; they did, indeed, appoint standing pastors and teachers in each Church; they did assume fellow-labourers or assistants in the work of preaching and governance: but they did not constitute Apostles, equal to themselves in authority, privileges, or gifts: for, *Who knoweth not, saith St Austin<sup>5</sup>, that principate of Apostleship to be preferred before any episcopacy?* and, *The Bishops, with Bellarmine<sup>6</sup>, have no part of the true Apostolical authority.*

<sup>4</sup> Τὴν ἀποστολὴν, πρᾶγμα μυρίων ἀγαθῶν γέμον, καὶ τῶν χαρισμάτων διάτονος καὶ μεῖζον, καὶ περιεκτικόν.—In Rom. i. Or. i. [Opp. Tom. III. p. 6.] Cf. Tom. VIII. p. 114.

<sup>5</sup> Quis enim nescit illum Apostolatus principatum cuilibet Episcopatui præferendum?—De Bapt. cont. Don. II. 1. [Opp. Tom. II. col. 97 A.]

<sup>6</sup> Episcopi nullam habent partem veræ Apostolice auctoritatis.  
De S. Pont. IV. 25. [§ 4.]

The Apostles themselves do make the Apostolate a distinct

Wherefore St Peter, who had no other office mentioned in Scripture, or known to antiquity, beside that of an Apostle, could not have properly and adequately any successor to his office; but it naturally did expire with his person, as did that of the other Apostles.

5 Accordingly, whereas the other Apostles as such, had no successors, the Apostolical office not being propagated, the primacy of St Peter (whatever it were, whether of order or jurisdiction, in regard to his brethren) did cease with him; for when there were no Apostles extant, there could be no head or prince of the Apostles in any sense.

6 If some privileges of St Peter were derived to Popes, why were not all? why was not Pope Alexander VI. as holy as St Peter? why was not Pope Honorius as sound in his private judgment! why is not every Pope inspired? why is not every Papal Epistle to be reputed canonical? why are not all Popes endowed with power of doing miracles! why doth not the Pope by a sermon convert thousands? (why, indeed, do Popes never preach!) why doth not the ~~curse~~ man by his shadow? (he is

eservation of Christian doctrine and edification of the Church, were requisite to be continued perpetually in ordinary standing offices, these, indeed, were derived from the Apostles, but not properly in way of succession, as by univocal propagation, but by ordination, imparting all the power needful for such offices; which therefore were exercised by persons during the Apostles' lives concurrently, or in subordination to them; even as a dictator at Rome might create inferior magistrates, who derived from him, but not as his successors; for, as Bellarmine himself telleth us, *There can be no proper succession, but in respect of one preceding; but Apostles and Bishops were together in the Church*<sup>1</sup>.

The Fathers therefore so in a large sense call all Bishops successors of the Apostles; not meaning that any one of them did succeed into the whole Apostolical office, but that each did receive his power from some one (immediately or mediately) whom some Apostle did constitute Bishop, vesting him with authority to feed the particular flock committed to him in way of ordinary charge; according to the sayings of that Apostolical person, Clemens Romanus<sup>2</sup>: *The Apostles preaching in regions and cities did constitute their first converts, having approved them by the Spirit, for Bishops*

<sup>1</sup> Non succeditur proprio nisi præcedenti; at simul fuerunt in Ecclesia Apostoli et Episcopi——. —De Pont. R. 1v. 25.

<sup>2</sup> Κατὰ χάρας καὶ πόλεις κηρύσσοντες, καθίσταντο τὰς ἀπαρχὰς αὐτῶν, δοκιμάσαντες τῷ πνεύματι, εἰς ἐπισκόπους καὶ διακόνους τῶν μελάντων πιστεύειν. —Ep. 1. ad Cor. cap. 42.

Κατίστησαν τοὺς προειρημένους, καὶ μεταξὺ ἐπινομὴν δεδώκασι, ὅπως ἔσται κομηθώσι, διαδέξωνται ἔτεροι δεδοκιμασμένοι ἄνδρες τὴν λειτουργίαν ἵνα. —Cap. 44.

*and Deacons of those who should afterward believe, and, Having constituted the foresaid, (Bishops and Deacons,) they withal gave them further charge, that if they should die, other approved men successively should receive their office: thus did the Bishops supply the room of the Apostles, each in guiding his particular charge<sup>x</sup>, all of them together, by mutual aid, conspiring to govern the whole body of the Church.*

8 In which regard it may be said, that not one single Bishop, but all Bishops together through the whole Church, do succeed St Peter, or any other Apostle; for that all of them, in union together, have an universal sovereign authority, commensurate to an Apostle.

9 This is the notion which St Cyprian doth so much insist upon, affirming that the Bishops do succeed St Peter, and the other Apostles, *By vicarious ordination<sup>y</sup>*; that *The Bishops are Apostles*<sup>z</sup>; that there is but *One chair by the Lord's word built upon one Peter<sup>a</sup>*; *One undivided Bishopric, diffused in the peaceful numerosity of many Bishops, whereof each Bishop doth hold his share<sup>b</sup>, one flock*

id, and which afterwards the Bishops do feed; leaving a portion thereof allotted to each, which he should govern<sup>o</sup>. So the Synod of Carthage<sup>d</sup>, with St Cyprian. So also St Chrysostom<sup>e</sup> saith, that *The sheep of Christ were committed by him to Peter, and to those after him*, that is, in his meaning, to all Bishops.

10 Such, and no other power, St Peter might devolve on any Bishop ordained by him in any Church which he did constitute or inspect; as in that of Antioch, of Alexandria, of Babylon, of Rome. The like did the other Apostles communicate<sup>f</sup>, who had the same power with St Peter in founding and settling Churches; whose successors of this kind were equal to those of the same kind, whom St Peter did constitute; enjoying in their several precincts an equal part of the Apostolical power, as St Cyprian often doth assert.

11 It is in consequence observable, that in those Churches, whereof the Apostles themselves were never accounted Bishops, yet the Bishops are called

<sup>o</sup> *Et pastores sunt omnes, et grex unus ostenditur, qui ab Apostolis omnibus unanimi consensione pascatur.*—Ibid.

Nam etsi pastores multi sumus, unum tamen gregem pascimus, et oves universae, &c.—Ep. LXVII. [Opp. p. 116.] *For though we are many pastors, yet we feed one flock, and all the sheep, &c.*

<sup>d</sup> *Manifesta est sententia Domini nostri Iesu Christi Apostolos nos mittentis, et ipsis solis potestatem a patre sibi datam permittentis, quibus nos successimus, eadem potestate Ecclesiam Domini gubernantes.*—Conc. Carth. [Cypr. Opp. p. 337.] *The mind and meaning of our Lord Jesus Christ is manifest in sending his Apostles, and allowing the power given him of the Father to them alone, whose successors we are, governing the Church of God by the same power.*

<sup>e</sup> *Τὰ πρόβατα——ἀ τῷ Πέτρῳ καὶ τοῖς μετ' ἐκείνον ἐνεχείρισε.*—De Sacerd. Lib. II. [Opp. Tom. VI. p. 8.]

<sup>f</sup> *Hier. [ad Evang. Ep. ci. Tom. IV. P. II. p. 803.]*

successors of the Apostles; which cannot other be understood, than according to the sense w we have proposed; that is, because they succe those who were constituted by the Apostles cording to those sayings of Irenæus and Tertu *We can number those who were instituted Bi by the Apostles and their successors<sup>g</sup>;* and, *All Churches do shew those, whom, being by the Ap constituted in the episcopal office, they ha continuers of the Apostolical seed<sup>h</sup>.* So, alth St Peter was never reckoned Bishop of Alexan yet because it is reported that he placed St I there, the Bishop of Alexandria is said to suc the Apostles<sup>l</sup>. And because St John did abi Ephesus, inspecting that Church, and appoi Bishops there, the Bishops of that See did their origin to him<sup>k</sup>. So many Bishops did c from St Paul. So St Cyprian and Firmilia assert themselves successors of the Apostles<sup>l</sup>,

<sup>g</sup> *Habemus annumerare eos, qui ab Apostolis institut Episcopi in Ecclesiis, et successores eorum usque ad no*  
—Iren. III. 3. [p. 175.]

<sup>h</sup> *Resinde utique et certum ostendunt, quae ab Apos*



et perhaps never were at Carthage or Cæsarea. To the Church of Constantinople is often in the *Acts* of the Sixth General Council, called *This great Apostolic Church*, being such Churches as those of whom Tertullian<sup>m</sup> saith, that *Although they do not produce any of the Apostles or Apostolical men for their author, yet conspiring in the same faith, are no less, for the consanguinity of doctrine, reputed Apostolical*. Yea, hence St Jerome doth assert a parity of merit and dignity sacerdotal to all Bishops; because, saith he<sup>n</sup>, *All of them are successors to the Apostles*; having all a like power by their ordination conferred on them.

12 Whereas our adversaries<sup>o</sup> do pretend, that, indeed, the other Apostles had an extraordinary charge as legates of Christ, which had no succession, but was extinct in their persons; but that St Peter had a peculiar charge, as ordinary pastor of the whole Church, which surviveth:

To this it is enough to rejoin, that it is a mere figment, devised for a shift, and affirmed precariously: having no ground either in Holy Scripture or in ancient tradition; there being no such

<sup>m</sup> — ab illis Ecclesiis, quæ licet nullum ex Apostolis, vel Apostolicis, auctorem suum proferant, ut multo posteriores, quæ denique quotidie instituuntur: tamen in eadem fide conspirantes, non minus Apostolice deputantur, pro consanguinitate doctrinæ.— *De Prescr. cap. xxxii. [Opp. p. 213 c.]*

<sup>n</sup> Omnes Apostolorum successores sunt.—*Hier. [ad Evang. Ep. cl. Tom. iv. P. ii. p. 803.]*

<sup>o</sup> *Bell. de S. Pont. Lib. iv. cap. 25.* [— magnum esse discrimen inter successionem Petri et aliorum Apostolorum. Nam Romanus Pontifex proprie succedit Petro, non ut Apostolo, sed ut pastori ordinario totius Ecclesie, et ideo ab illo habet Romanus Pontifex Jurisdictionem, a quo habuit Petrus. At Episcopi non succidunt proprie Apostolis, quoniam Apostoli non fuerunt ordinarii, sed extraordinarii, et quasi delegati pastores, qualibus non succeditur.]

distinction in the sacred or ecclesiastical writings; no mention occurring there of any office which he did assume, or which was attributed to him, distinct from that extraordinary one of an **Apostle**; and all the pastoral charge imaginable being ascribed by the ancients to all the **Apostles** in regard to the whole Church, as hath been sufficiently declared.

13 In fine, if any such conveyance of power (of power so great, so momentous, so mightily concerning the perpetual state of the Church, and of each person therein) had been made, it had been (for general direction and satisfaction, for voiding all doubt and debate about it, for stifling these pretended heresies and schisms) very requisite that it should have been expressed in some authentic record, that a particular law should have been extant concerning it, that all posterity should be warned to yield the submission grounded thereon. Indeed, a matter of so great consequence to the being and welfare of the Church could scarce have escaped from being clearly mentioned somewhere or other in **Scripture**, wherein so much is spoken

assertion of it is wholly arbitrary, imaginary, and groundless.

14 I might add, as a very convincing argument, that if such a succession had been designed, and known in old times, it is morally impossible that none of the Fathers, (Origen, Chrysostom, Augustine, Cyril, Jerome, Theodoret, &c.) in their exposition of the places alleged by the Romanists for the primacy of St Peter, should declare that primacy to have been derived and settled on St Peter's successor: a point of that moment, if they had been aware of it, they could not but have touched, as a most useful application, and direction for duty.

### SUPPOSITION III.

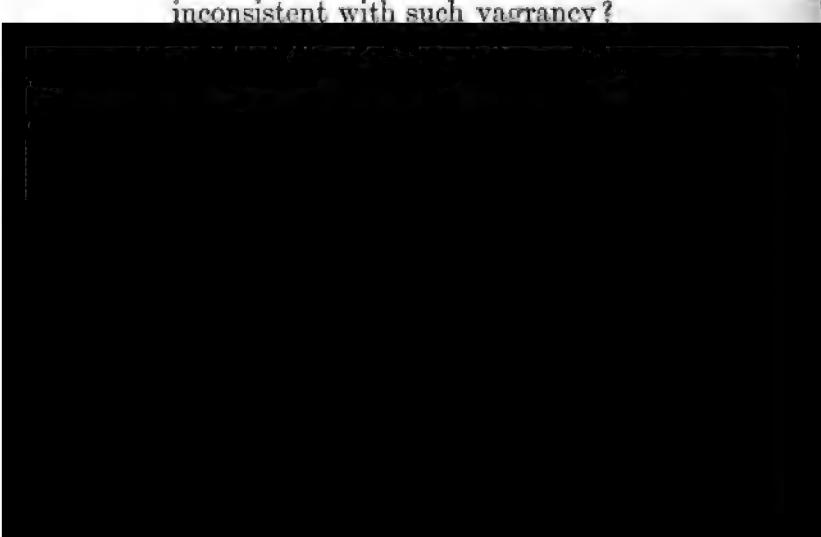
They affirm, that St Peter was Bishop of Rome.

CONCERNING which assertion we say, that it may with great reason be denied, and that it cannot anywise be assured; as will appear by the following considerations.

1 St Peter's being Bishop of Rome would confound the offices which God made distinct; for *God did appoint first Apostles, then prophets, then* <sup>1 Cor. xii. 28.</sup> *pastors and teachers;* wherefore St Peter, after he <sup>Eph. iv. 11.</sup> was an Apostle, could not well become a Bishop; it would be such an irregularity, as if a Bishop should be made a Deacon.

2 The offices of an Apostle and of a Bishop are not in their nature well consistent; for the Apostleship is an extraordinary office, charged with instruction and government of the whole world, and calling for an answerable care; (*The Apostles being*

*rulers, as St Chrysostom<sup>P</sup> saith, ordained by God, rulers not taking several nations and cities, but of them in common intrusted with the whole world;* but Episcopacy is an ordinary standing charge, affixed to one place, and requiring a special attendance there; Bishops being pastors, *Who, as St Chrysostom<sup>q</sup> saith, do sit, and are employed in one place.* Now he that hath such a general care can hardly discharge such a particular office; and he that is fixed to so particular attendance can hardly look well after so general a charge: either of those offices alone would suffice to take up a whole man, as those tell us who have considered the burden incumbent on the meanest of them; the which we may see described in St Chrysostom's discourses concerning the Priesthood. Baronius saith of St Peter, that *It was his office not to stay in one place, but, as much as it was possible for one man, to travel over the whole world, and to bring those who did not yet believe to the faith, but thoroughly to establish believers:* if so, how could he be Bishop of Rome, which was an office inconsistent with such vagrancy?



; sensible of that superior charge belonging to which did exact a more extensive care, would have safe to undertake an inferior charge.

We cannot conceive that St Peter did affect the title of a Bishop, as now men do, allured by the prospect of wealth and power, which then were none: did affect the title, why did he not in either of his Epistles (one of which, as they would persuade us written from Rome) inscribe himself Bishop of Rome? Especially considering that, being an apostle, he did not need any particular authority, involving all power, and enabling him in any particular place to execute all kinds of ecclesiastical ministrations: there was no reason that an apostle (or universal Bishop) should become a particular Bishop.

Also St Peter's general charge of converting and inspecting the Jews, dispersed over the world, (Apostleship, as St Paul calleth it, of the circumcision,) which required much travel, and his absence in divers places, doth not well agree to his assuming the episcopal office at Rome. Especially at that time, when they first make him to

6 If we consider St Peter's life, we may well deem him uncapable of this office, which he could not conveniently discharge; for it, as history doth represent it, and may be collected from divers circumstances of it, was very unsettled; he went much about the world, and therefore could seldom reside at Rome.

Many have argued him to have never been at Rome; which opinion I shall not avow, as bearing a more civil respect to ancient testimonies and traditions; although many false and fabulous relations of that kind having crept into history and common vogue, many doubtful reports having passed concerning him, many notorious forgeries having been vented about his travels and acts<sup>\*</sup>, (all that is reported of him out of Scripture having a smack of the legend,) would tempt a man to suspect anything touching him which is grounded only upon human tradition; so that the forger of his Epistle to St James might well induce him saying: *If while I do yet survive, men dare to feign such things of me, how much more will they dare to do so after my decease?*<sup>x2</sup>

he was at Rome; and that he could never long abide there: for,

He was often in other places; sometimes at Jerusalem, sometimes at Antioch, sometimes at Babylon, sometimes at Corinth<sup>2</sup>; sometimes probably at each of those places unto which he directeth his Catholic Epistles; among which Epiphanius saith, that *Peter did often visit Pontus and Bithynia*<sup>3</sup>.

And that he seldom was at Rome may well be collected from St Paul's writings; for he writing

<sup>2</sup> Dionysius Corinth. Episc. apud Euseb. Eccl. Hist. II. 25. [Καὶ πάρα ἄμφος (Πέτρος καὶ Παῦλος) καὶ εἰς τὴν ἡμετέραν Κόρινθον φυτεύσατες ἡμᾶς, ὅμοιοις ἐδίδαξαν—.]

<sup>3</sup> Πέτρος πολλάκις Πόντον τε καὶ Βιθυνίαν ἐπεσκέψατο.—Lib. I. Tom. II. Hær. xxvii. [p. 107 c.]

assumptione Domini ad id tempus, quo Petrus conjectus fuit in vincula ab Herode Agrippa—Petrus semper fuit in Palestina, aut in Syria. Herodes Agrippa obiit quarto anno Claudi. Quomodo igitur anno secundo Claudii proiectus est Romam? quomodo viginti quinque annos Romam perseveravit? Marcellinus Comes scribit Indictione III., Philoxeno et Probo Coss. hoc est, anno Christi DXXV., Johannem Episcopum Romam Constantinopolin venisse anno CCCCLXXXV. sessionis Petri. Ergo Petrus venit Romam anno Christi XL, biennio ante tempus ab Eusebio assignatum. Adde quod post haec tempora Petrus scribatur Babylone ad διαστοράν Ponti et Medie, ut omnino de illis XXV. annis mentio interjecta futile et vana sit.]

Onuph. Panv. apud Bellar. de S. Pont. II. 6. [§ 10. Igitur Panvinus in annotationibus ad Platinam, in ipso principio docet, sanctum Petrum non sedisse Antiochiae antequam Romam proficeretur, sed postquam ex urbe redierat, et Concilio Hierosolymitano interferuerat.]

Valesius in Euseb. Eccles. Hist. II. 16. [Eusebius quidem in Chronico, Petri in urbem Romanum adventum refert anno secundo Claudi Augusti, quam contentiam sicutur est Baroniis et Petavius, aliquae plures. Sed haec sententia refelli videtur ex Actibus Apostolorum; ex quibus constat Petrum in Iudea ac Syria semper mansisse usque ad ultimum annum Agrippae regis. Quia cum Hierosolymis Petrum in vincula conjectisset; paulo post, divina eum sequente justitia, extinctus est Cæsarea, ut refert Lucas. Cum igitur anno Martio Claudi mortuus est Agrippa, ut inter omnes convenit, Petrus ante ultimum annum Romanum profici non potuit. Hanc opinionem valde confirmat Pöllonius vetus scriptor.—Is scribit se ex traditione majorum ita accepisse, quod Apostolos post duodecimum ab Ascensione Domini annum a se invicem dissenserent, cum Christus ita ipsis præcepisset.—Sed auctor Chronicus Alexander adventum Petri adhuc tardius refert. Scribit enim Paulum venisse Hierosolyma ob controversiam de circumcidione, anno sexto Claudi: eoque anno celebratum esse Concilium Hierosolymitanum, Apostolis nondum a se invicem disjunctis. Itaque ex ejus sententia, Petrus non ante annum 7 Claudi Romanus proiectus erat.]

at different times one Epistle to Rome, and divers Epistles from Rome, (that to the Galatians, that to the Ephesians, that to the Philippians, that to the Colossians, and the Second to Timothy,) doth never mention him, sending any salutation to him, or from him. Particularly St Peter was not there when St Paul mentioning Tychicus, Onesimus,

<sup>Col. iv. 11.</sup> Aristarchus, Marcus, and Justus, addeth, *These alone my fellow-workers unto the kingdom of God, who have been a comfort unto me.* He was not

<sup>2 Tim. iv. 16;</sup> there when St Paul said, *At my first defence no man stood with me, but all men forsook me.* He was not there immediately before St Paul's death,

<sup>iv. 6. 21.</sup> (when the time of his departure was at hand,) when he telleth Timothy, that all the brethren did salute him, and naming divers of them, he omitteth Peter.

Which things being considered, it is not probable that St Peter would assume the episcopal chair of Rome; he being little capable to reside there, and for that other needful affairs would have forced him to leave so great a Church destitute of

offences of kin to it, (it being, I think, then not so known as nominally to be censured,) and culpable upon the same ground; and by the sayings of Fathers condemning practices approaching to it<sup>c</sup>.

Even later Synods, in more corrupt times, and in the declension of good order, yet did prohibit this practice<sup>d</sup>.

Epiphanius therefore did well infer, that it was needful the Apostles should constitute Bishops resi-

όφθαλμῶν ἔχοντες, μήτε τὸν ἐκκλησιαστικὸν κανόνα εἰδότες, ἀναχωρήσουσι τῆς ἐκκλησίας, πρεσβύτεροι ἡ διάκονοι, ἡ δλως ἐν τῷ κανόνι ἐνταῦθενοι· οὗτοι οὐδαμῶς δεκτοὶ δρφείλουσιν εἶναι ἐν ἑτέρᾳ ἐκκλησίᾳ, ἀλλὰ πάσαν αὐτοῖς ἀνάγκην ἐπάγεσθαι χρή, ἀναστρέφειν εἰς τὰς ἑαυτῶν παροικίας, ἡ ἐπιμένοντας, ἀκοινωνήτους εἶναι προστήκει.]

Conc. Antioch. Can. III. [Bin. Tom. I. p. 505.] [Mans. Conc. Tom. II. col. 1309 B.] Εἴ τις πρεσβύτερος, ἡ διάκονος, ἡ δλως τῶν τοῦ ἵερατείου τις καταλιπὼν τὴν ἑαυτοῦ παροικίαν, εἰς ἑτέραν ἀπέλθοι· πεπεστα παντελῶς μεταστὰς, διατρίβειν ἐν ἀλλῃ παροικίᾳ πειράται ἐπὶ τολλῷ χρόνῳ, μηκέτι λειτουργεῖν, εἰ μάλιστα καλοῦντι τῷ ἐπισκόπῳ τῷ ἰδίῳ, καὶ ἐπαναλθεῖν εἰς παροικίαν τὴν ἑαυτοῦ παρανοῦντι μὴ ὑπακούοι. οὐδὲ καὶ ἐπιμένοι τῇ ἀταξίᾳ, παντελῶς αὐτὸν καθαιρέσθαι τῆς λειτουργίας, ὃς μηκέτι χώραν ἔχειν ἀποκαταστάσεως, &c.]

Conc. Sard. Can. XI. XII. [Bin. Tom. I. p. 530.] [Mans. Conc. Tom. III. pp. 17, 18.]

Conc. Trull. Can. LXXX. [Bin. Tom. V. p. 344.] [Mans. Conc. Tom. XI. col. 977 c.]

<sup>c</sup> Οἵδας ἀναγρούσ τὰς γραφὰς, ἡλίκον ἐστὶ δὴ ἔγκλημα καταλιμπάνειν ἐπίσκοπον τὴν ἐκκλησίαν, καὶ ἀμελεῖν τὸν τοῦ Θεοῦ ποιμήνων.—Ath. ad Imp. Const. Apol. [Opp. Tom. I. p. 311 c.] Having read the Scriptures, you know how great an offence it is for a Bishop to forsake his Church, and to neglect the flocks of God.

Oportet enim Episcopos curis secularibus expeditos curam suorum agere populorum, nec Ecclesiis suis abesse diutius.—P. Paschal. II. Ep. XXII. [Bin. Tom. VII. Pars I. p. 528, c. 1 c.] [Mans. Conc. Tom. XX. col. 1007 E.] For Bishops ought to be disengaged from secular cares, and to take charge of their people, and not to be long absent from their Churches.

<sup>d</sup> Præcipimus etiam ne conductitiis Presbyteris Ecclesiæ committantur: et unaquaque Ecclesia, cui facultas suppetit, proprium habeat sacerdotem.—Conc. Lat. II. (sub Innoc. II.) Can. X. [Bin. Tom. VII. Pars II. p. 594, c. 2 E.] [Mans. Conc. Tom. XXI. col. 529 B.]

dent at Rome: *It was, saith he, possible, that, the Apostles Peter and Paul yet surviving, other Bishops should be constituted; because the Apostles often did take journeys into other countries, for preaching Christ: but the city of Rome could not be without a Bishop*<sup>6</sup>.

9 If St Peter were Bishop of Rome, he thereby did offend against divers other good ecclesiastical rules, which either were in practice from the beginning, or at least the reason of them was always good, upon which the Church did afterward enact them; so that either he did ill in thwarting them, or the Church had done it in establishing them, so as to condemn his practice.

10 It was against rule<sup>7</sup>, that any Bishop should desert one Church, and transfer himself to another; and, indeed, against reason, such a relation and

*We enjoin that Churches be not committed to hired ministers, but that every Church, that is of ability, have its proper priest.*

Cum igitur Ecclesia, vel Ecclesiasticum ministerium committi debuerit, talis ad hoc persona queratur, quæ residere in loco, et curam ejus per seipsum valeat exercere; quod si aliter fuerit actum, et qui receperit, quod contra sanctos Cauones accepit,

endearment being contracted between a Bishop and his Church, which cannot well be dissolved<sup>g</sup>. But St Peter is by ecclesiastical historians reported (and by Romanists admitted) to have been Bishop of Antioch for seven years together. He therefore did ill to relinquish that Church, *That most ancient and truly Apostolic Church of Antioch*<sup>h</sup>, (as the Constantinopolitan Fathers called it,) and to place his See at Rome. This practice was esteemed bad, and of very mischievous consequence; earnestly reproved, as heinously criminal, by great Fathers; severely condemned by divers Synods. Particularly a transmigration from a lesser and poorer to a greater and more wealthy Bishopric, (which is the present case,) was checked by them, as rankly savouring of selfish ambition or avarice. The Synod of Alexandria, (in Athanasius,) in its Epistle to all Catholic Bishops, doth say, that Eusebius, by passing from Berytus to Nicomedia, had annulled his episcopacy<sup>i</sup>, making it an adultery, worse than that which is committed by marriage upon divorce: *Eusebius, say they, did not consider the Apostle's admonition, Art thou bound to a wife? do not seek to be loosed: for if it be said of a woman, how much more of a Church; of the same Bishopric; to which one being tied, ought not to seek another, that he may not be found*

<sup>g</sup> Τοῦ μεγάλου Πέτρου θρόνον ἡ Ἀντιοχέων μεγαλόπολις ἔχει.—*theod. Ep. LXXXVI. [Opp. Tom. III. p. 964 A.] The great city of*

<sup>g</sup> *Antiochians hath the throne of the great St Peter.*

<sup>h</sup> Τῆς δὲ πρεσβυτάρης καὶ ὅντως ἀποστολικῆς ἐκκλησίας τῆς ἐν πρωτείᾳ τῆς Συρίας.—*Id. Hist. Eccl. v. 9. [Opp. Tom. III. p. 17 c.]*

<sup>i</sup> *Ἄντρος δικράνας αὐτήν.—Syn. Alex. apud Athan. Apol. con. trian. [Opp. Tom. I. p. 129 c.]*

*also an adulterer, according to the Holy Scripture<sup>κ</sup>?*  
 Surely when they said this, they did forget what St Peter was said to have done in that kind; as did also the Sardican Fathers in their Synodical letter, extant in the same *Apology of Athanasius*, condemning translations from lesser cities unto greater Dioceses<sup>1</sup>.

The same practice is forbidden by the Synods of Nice I., of Chalcedon, of Antioch, of Sardica, of Arles I.<sup>m</sup> &c.

In the Synod under Mennas, it was laid to the

<sup>κ</sup> Οὐ συνορῶν τὸ παρὰ τοῦ ἀποστόλου παράγγελμα, δέδεσαι γυναικὶ μὴ ζῆτε λύσιν. εἰ δὲ ἐπὶ γυναικὸς τὸ ἥρτον, πόσφε μᾶλλον ἐπὶ ἐκελοῖς καὶ τῆς αὐτῆς ἐπισκοπῆς, ὃ δὲ συνθετεῖς ἀλλην οὐκ ὀφελεῖ ζῆτειν, ἵνα μὴ καὶ μοιχὸς παρὰ ταῖς θείαις εὐρίσκηται γραφαῖς.—*Ibid.*

<sup>1</sup> Τὰς μεταβέσεις ἀπὸ μικρῶν πόλεων εἰς μείζονας παροικίας.—*Ibid.* [p. 168 F.]

<sup>m</sup> Syn. Nic. Can. xv. [Bin. Tom. I. p. 344.] [Διὰ τὸν τολμὸν τάραχον—ἔδοξε παντάπασι, περιερεθῆναι τὴν συνήθειαν τὴν παρὰ τὸ κανόνα εὑρεθῆσαν ἐν ταῖς μέρεσιν ὥστε ἀπὸ πόλεως εἰς πόλιν μὴ μεταβαίνειν, μήτε ἐπίσκοπον, μήτε πρεσβύτερον, μήτε διάκονον.—*Mans.* Conc. Tom. II. col. 674 E.]

Syn. Antioch. Can. xxii. [Bin. Tom. I. p. 513.] [Ἐπίσκοπον ἀπὸ παροικίας ἐτέρας εἰς ἐτέραν μὴ μεθίστασθαι, μήτε αὐθαρέτως ἐπέριμπτοντα ἔαντον, μήτε ἀπὸ λαῶν ἐκβιαζόμενον, μήτε ὑπὸ ἐπισκόπων ἀναγκαζόμενον.—*Mans.* Conc. Tom. II. col. 1318 A.]

Syn. Sard. Can. I. [Bin. Tom. I. p. 526.] [—ἴνα μηδὲν τὸν ἐπισκόπων ἐξῆ ἀπὸ πόλεως μικρᾶς εἰς ἐτέραν πόλιν μεθίστασθαι.—*Mans.* Conc. Tom. II. col. 7 E.]

Syn. Arel. I. Can. xxii. [Bin. Tom. I. p. 267.] [De Presbyteris aut Diaconibus, qui solent dimittere loca sua in quibus ordinantur sunt, et ad alia loca se transferunt, placuit ut eis locis ministriantur, quibus prefixi sunt. Quod si relictis locis suis ad alium se locum transferre voluerint, deponantur.—*Mans.* Conc. Tom. II. col. 473 D.]

Syn. Chalc. Can. v. [Bin. Tom. III. p. 442.] [Περὶ δὲ τῶν μεταβαίνοντων ἀπὸ πόλεως εἰς πόλιν ἐπισκόπων, ή κληρικῶν, ἔδοξε τοποπερὶ τούτων τεθέντας κανόνας παρὰ τὸν ἀγίων πατέρων ἔχειν τὴν ἑδέαν τοχύν.—*Mans.* Conc. Tom. VII. col. 362 A.]

Cf. Grat. Caus. viii. Ques. I. cap. 4. [Corp. Jur. Can. Tom. I. p. 204.]

harge of Anthimus, that having been Bishop of Trabisond, he had adulterously snatched the See of Constantinople, against all ecclesiastical laws and canons<sup>n</sup>.

Yea, great Popes of Rome, (little considering how peccant therein their predecessor Pope Peter was,) Pope Julius<sup>o</sup> and Pope Damasus, did greatly tax this practice; whereof the latter in his Synod at Rome did excommunicate all those who should commit it<sup>p</sup>. In like manner Pope Leo I.<sup>q</sup>

These laws were so indispensable, that in respect to them Constantine M. who much loved and honoured Eusebius, (acknowledging him in the common judgment of the world deserving to be Bishop of the whole Church<sup>r</sup>,) did not like that he should accept the Bishopric of Antioch, to which he was invited; and commended his waving it, as

<sup>n</sup> ——— ἡδυτήθη μοιχικῶς τὸν τῆσδε τῆς πόλεως ἀρχιερατικὸν ὑφαρ-  
τίους θρόνον, παρὰ πάτας τοὺς ἐκεληστικοὺς θεσμοὺς καὶ κανόνας.—  
Conc. sub Menn. [Bin. Tom. IV. p. 9 f.] [Mans. Conc. Tom. VIII.  
col. 886 c.]

<sup>o</sup> Apud Athan. in Apol. con. Arian. [Opp. Tom. I. p. 145 A.]

<sup>p</sup> Τοὺς δὲ ἀπὸ ἐκεληστῶν εἰς ἔτερας ἐκελησίας μετελθόντας ἄχρι  
τούντου ἀπὸ τῆς ἡμετέρας κοινωνίας ἀλλοτρίους ἔχομεν, ἄχρι οὐ πρὸς  
αὐτὸς ἐπανελθωσι τὰς πόλεις, ἐν αἷς πρῶτον ἐχειροτονήθησαν.—Theodor.  
Hist. Eccl. v. 11. [Opp. Tom. III. p. 720 D.] *Those that pass from  
their own Churches to other Churches, we esteem so long excommu-  
nicate, (or strangers from our communion,) till such time as they  
return to the same cities where they were first ordained.*

<sup>q</sup> Si quis Episcopus, civitatis sua mediocritate despecta, admin-  
istrationem loci celebrioris ambierit, et ad majorem se plebem  
nacunque ratione transtulerit: a cathedra quidem pelletur aliena,  
et carebit et propria, &c.—Ep. XIV. cap. 8. [Opp. Tom. I. p. 689.]  
*If any Bishop, despising the meanness of his city, seeks for the  
administration of a more eminent place, and upon any occasion  
thatsoever transfers himself to a greater people, he shall not only be  
bitten out of another's See, but also lose his own, &c.*

<sup>r</sup> [Ἄξιος ἐκρίθης πάσης ἐκελησίας ἐνίσκοντος εἶναι.]—Euseb. de  
Vit. Const. III. 61.

an act not only consonant to the ecclesiastical canons, but acceptable to God, and agreeable to Apostolical tradition<sup>5</sup>: so little aware was the good Emperor of St Peter being translated from Antioch to Rome.

In regard to the same law, Gregory Nazianzen (a person of so great worth, and who had deserved so highly of the Church at Constantinople) could not be permitted to retain his Bishopric of that Church, to which he had been called from that small one of Sasima. *The Synod*, saith Sozomen, *observing the ancient laws and the ecclesiastical rule, did receive his Bishopric from him, being willingly offered, nowise regarding the great merits of the person*<sup>6</sup>; the which Synod surely would have excluded St Peter from the Bishopric of Rome: and it is observable, that Pope Damasus did approve and exhort those Fathers to that proceeding<sup>7</sup>.

We may, indeed, observe, that Pope Pelagius II. did excuse the translation of Bishops by the example of St Peter: *For who ever dareth to say, argueth he, St Peter the prince of the Apostles did*

<sup>5</sup> [Ἐμμένειν γοῦν τούτοις, ἀπέρ ἀρεστά τε τῷ Θεῷ, καὶ τῇ ἀποστολικῇ παραδόσει σύμφωνα φαίνεται εὐαγγέλιον. — Ἄλλ' ἡ σὴ σύνεσσι, ἦγουν τὰς τε ἐπτολὰς τοῦ Θεοῦ, καὶ τὸν ἀποστολικὸν κανόνα καὶ τὴν Ἐκκλησίας φυλάττειν ἔγραψεν, ὑπέρεντε πεποίηκε, &c. — Ibid.]

<sup>6</sup> Ἄλλ' ὅμως ἡ σύνοδος, καὶ τὸν πατρίους νόμους, καὶ τὴν ἐκπαιδευτικὴν τάξιν φυλάττουσα, δέδωκε, παρ' ἐκόντος ἀπειλῆφε, μηδ αἰδεσθεῖσα τῶν τοῦ ἀνδρὸς πλεονεκτημάτων. — Sozom. VII. 7.

<sup>7</sup> Illud præterea commoneo dilectionem vestram, ne patiam — aliquem contra statuta majorum nostrorum de civitate alia ad ali — transduci, et deserere plebem sibi commissam, &c. — P. Dam — Epist. apud Holsten. p. 41. et De Marc. de Concord. v. 21. [To — II. p. 55. col. 2.] Moreover this I advise you, that out of your char — you would not suffer any one, against the decrees of our ancesto — to be removed from one city to another, and to forsake the peo — committed to his charge, &c.

*ot act well, when he changed his See from Antioch to Rome?* But I think it more advisable to excuse St Peter from being author of a practice judged to be irregular, by denying the matter of fact laid to his charge.

11 It was anciently deemed a very irregular thing, *Contrary*, saith St Cyprian, *to the ecclesiastical disposition, contrary to the evangelical law, contrary to the unity of catholic institution*<sup>1</sup>; *A symbol, saith another ancient writer, of dissension, and disagreeable to ecclesiastical law*<sup>2</sup>; which therefore was condemned by the Synod of Nice, by Pope Cornelius, by Pope Innocent I. and others, that two Bishops should preside together in one city<sup>3</sup>.

This was condemned with good reason; for this in the Church's part would be a kind of spiritual polygamy; this would render a Church a monster with two heads; this would destroy the end of

<sup>1</sup> Quis enim unquam audet dicere S. Petrum Apostolorum principem non bene egisse, quando mutavit sedem de Antiochia in Romanum?—P. Pelag. II. Ep. I. [Bin. Tom. IV. p. 468, c. 1 E.] [Mans. Conc. Tom. IX. c. 882.]

<sup>2</sup> Contra ecclesiasticam dispositionem, contra evangelicam legem, contra institutionis catholice unitatem.—Cypr. Ep. xlii. [Opp. p. 58.] (ut et Ep. XLVI. LII. LV. LVIII.)

<sup>3</sup> Ο διχοροίας σύμβολόν ἔστι, καὶ ἐκκλησιαστικοῦ θεσμοῦ ἀλλότριον.—Sozom. IV. 15.

Syn. Nic. Can. VIII. [Bin. Tom. I. p. 342.] [Mans. Conc. Tom. II. col. 672.] —ίνα μὴ ἐν τῷ πόλει δύο ἐπίσκοποι ὔσιν.]

P. Corn. apud Euseb. Eccl. Hist. VI. 43. [Ο ἐκδικητής οὐν τοῦ Ἰαγγελίου οὐκ ἡγίστατο ἔνα ἐπίσκοπος δεῖν εἶναι ἐν καθολικῇ ἐκελησίᾳ.]

Cypr. Ep. XLVI. [Opp. p. 61. Nec enim ignoramus—unum episcopum in Catholica Ecclesia esse debere.]

P. Innoc. apud Sozom. VIII. 26.

Optat.—Cathedra una. [Igitur negare non potes, scire quod in urbe Roma primo Cathedram episcopalem esse constitam, in qua sederit omnium Apostolorum caput Petrus—in qua una Cathedra unitas ab omnibus servaretur.—Lib. II. cap. 2. p. 31.]

episcopacy, which is unity and prevention of schisms<sup>b</sup>.

But if St Peter was Bishop of Rome irregularity was committed: for the same author upon which St Peter's episcopacy of Rome is built, doth also reckon St Paul Bishop of the same; the same writers do make both founders and planters of the Roman Church, and the call both Bishops of it: wherefore if episcopacy be taken in a strict and proper sense, according to this controversy, that rule must necessarily be infringed thereby. Irenæus saith, *That the First Church was founded and constituted by the most glorious Apostles, Peter and Paul*<sup>c</sup>; Irenæus of Corinth calleth it *The plantation of Peter and Paul*<sup>d</sup>; Epiphanius saith, that *Peter and Paul were first at Rome both Apostles and Bishop*; Eusebius implieth, saying, that Pope Alexander derived a succession in the fifth place from Peter and Paul<sup>e</sup>. Wherefore both of them were indeed Bishops, or neither of them: in reason and truth neither of them may be called so in a strict sense; but in a looser and more



Indeed, that St Paul was in some *acception* Bishop of Rome (that is, had a supreme superintendence or inspection of it) is reasonable to affirm; because he did for a good time reside there, and during that residence could not but have the chief place, could be subject to no other; *He, saith St Luke, did abide two whole years in his own hired house, and received all that entered into him, preaching the kingdom of God, and teaching those things which concern the Lord Jesus Christ with all confidence, no man forbidding him.*

It may be inquired, if St Peter was Bishop of Rome, how he did become such? did our Lord appoint him such? did the Apostles all or any constitute him? did the people elect him? did he put himself into it? Of none of these things there is any appearance, nor any probability: *Non constat.*

#### SUPPOSITION IV.

They affirm, That St Peter did continue Bishop of Rome after his translation, and was so at his decease.

**A**gainst which assertions we may consider:

1 Ecclesiastical writers do affirm, that St Peter (either alone, or together with St Paul) did constitute other Bishops; wherefore St Peter was never Bishop, or did not continue Bishop there. Irenæus saith, that *The Apostles founding and rearing that Church, delivered the episcopal office into the hands of Linus*<sup>8</sup>; if so, how did they retain

<sup>8</sup> Θεμελιώσαντες οὖν καὶ οἰκοδομήσαντες οἱ μακάριοι ἀπόστολοι τὴν ἐκκλησίαν, Λίνω τὴν τῆς ἐπισκοπῆς λειτουργίαν ἀνεχείρισαν.—*Apud Euseb. Eccl. Hist. v. 6.*

it in their own hands or persons? could they give, and have? Tertullian saith, that *St Peter did ordain Clement<sup>h</sup>*. In the Apostolical Constitutions, (a very ancient book, and setting forth the most ancient traditions of the Church,) the Apostles ordering prayers to be made for all Bishops, and naming the principal, do reckon, not St Peter, but Clement: *Let us pray for our Bishop James, for our Bishop Clemens, for our Bishop Euodius<sup>i</sup>, &c.*

These reports are consistent, and reconciled by that which the Apostolical Constitutions affirm; that *Linus was first ordained Bishop of the Roman Church by Paul; but Clemens after the death of Linus by Peter in the second place<sup>k</sup>*.

Others between Linus and Clemens do interpose Cletus, or Anacletus, (some taking these for one, others for two persons,) which doth not alter the case<sup>l</sup>.

<sup>h</sup> Romanorum Clementem a Petro ordinatum edit.—Tert. de Prescr. cap. xxxii.

Ex quibus electum magnum, plebique probatum

Hac cathedra, Petrus qua sederat ipse, locatum

Maxima Roma Linum, primum considere jussit.

[Uncerti Auct. adv. Marc. Lib. iii. inter Qn. Tertull. n. 62.]

Now hence we may infer, both that St Peter never was Bishop; and upon supposition that he was, that he did not continue so. For,

2 If he had ever been Bishop, he could not well lay down his office, or subrogate another, either to preside with him, or to succeed him; according to the ancient rules of discipline, and that which passed for right in the primitive Church.

This practice Pope Innocent I. condemned as irregular, and never known before his time: *We, saith he in his Epistle to the clergy and people of Constantinople, never have known these things to have been adventured by our fathers, but rather to have been hindered; for that none hath power given him to ordain another in the place of one living*<sup>m</sup>: he did not (it seems) consider, that St Peter had used such a power.

Aug. Ep. clxv. [Ep. lxx. Opp. Tom. II. col. 120 f. Petro enim successit Linus; Lino, Clemens; Clementi, Anacletus; Anacletu, Evaristius, &c.]

Optat Lib. II. [Cathedram unicum—sedit prior Petrus; cui successit Linus, Lino successit Clemens, Clementi Anacletus.—cap. 3. p. 31.]

[Post quem (*Linum*) Cletus et ipse gregem suscepit ovilis.  
Hujus Anacletus successor sorte locatus.

Inceti Auct. adv. Marc. III. 9, ubi supra.]

Phot. Biblioth. Cod. cxii. p. 290. [Τοιτόν φασιν οἱ μὲν δεύτεροι μετὰ Πέτρου ἐπισκοπῆσαι Ῥώμην, οἱ δὲ τέταρτον. Λίνον γὰρ καὶ Ἀνάκλητον μεταξὺ αὐτοῦ (Κλήμεντος) καὶ Πέτρου Ῥώμης ἐπισκόπους διαγεγονέναι.]

N. Eusebius saith that Linus did sit Bishop after the martyrdom of St Peter: [Τῆς δὲ Ῥωμαίων ἐκκλησίας μετὰ τὴν Παῦλου καὶ Πέτρου μαρτυρίας, πρώτος εληροῦται τὴν ἐπισκοπὴν Λίνος.—Eccles. Hist. III. 2.] But this is not so probable, as that which the author of the Constitutions doth affirm, which reconcileth the dissonancies of writers.

<sup>m</sup> Οὐδὲ γὰρ πάποτε παρὰ τῶν πατέρων ταῦτα τετολμῆσθαι ἀγνόηται. ἀλλὰ μᾶλλον κεκαλόνθαι, τῷ μηδενὶ εἰς τόπον ἔντος χειροτονεῖν ἀλλοι δεδόσθαι ἔξουσίαν.—P. Inn. I. apud Soz. VIII. 26.

Accordingly the Synod of Antioch (to secure the tradition and practice of the Church, which began by some to be infringed) did make this sanction: *That it should not be lawful for any Bishop to constitute another in his room to succeed him; although it were at the point of death*<sup>n</sup>.

3 But supposing St Peter were Bishop once, yet, by constituting Linus or Clemens in his place, he ceased to be so, and divested himself of that place; for it had been a great irregularity for him to continue Bishop together with another. That being, in St Cyprian's judgment the ordination of Linus had been void and null; for, *Seeing, saith that holy martyr<sup>o</sup>, there cannot after the first be any second, whoever is after one, who ought to be sole Bishop, he is not now second, but none.* Upon this ground, when the Emperor Constantius would have procured Felix to sit Bishop of Rome together with Pope Liberius, at his return from banishment, (after his compliance with the Arians,) the people of Rome would not admit it, exclaiming, *One God, one Christ, one Bishop*<sup>p</sup>; and whereas Felix soon after that died the historian

that St Peter and St Paul, St Peter and Linus, had thus governed that same Church. Upon this account St Austin, being assumed by Valerius with him to be Bishop of Hippo, did afterward discern and acknowledge his error<sup>r</sup>.

In fine, to obviate this practice, so many Canons of Councils (both general and particular) were made, which we before did mention.

4 In sum, when St Peter did ordain others, (as story doth accord in affirming,) either he did retain the episcopacy, and then (beside need, reason, and rule) there were concurrently divers Bishops of Rome at one time<sup>s</sup>; or he did quite relinquish, and finally divorce himself from the office, so that he did not die Bishop of Rome, the which overturneth the main ground of the Romish pretence. Or will they say that St Peter, having laid aside the office for a time, did afterward before his death resume it? then what became of Linus, of Cletus, of Clemens? were they dispossessed of their place, or deposed from their function? would St Peter succeed them in it? This in Bellarmine's own judgment had been plainly intolerable<sup>t</sup>.

5 To avoid all which difficulties in the case, and perplexities in story, it is reasonable to under-

<sup>r</sup> *Adhuc in corpore posito beatae memorie patre et Episcopo meo sene Valerio, Episcopus ordinatus sum, et sedi cum illo: quod concilio Niceno prohibitum fuisse nesciebam; nec ipse sciebat.*—*Aug. Ep. cx. [Ep. ccxiii. Opp. Tom. ii. col. 790 a.] While my Father and Bishop of blessed memory, old Valerius, was yet living, I was ordained Bishop, and held the See with him: which I knew not, nor did he know, to be forbidden by the Council of Nice.*

<sup>s</sup> *Grat. Caus. viii. Qu. i. cap. 1. [Corp. Jur. Can. Tom. i. p. 203.]*

<sup>t</sup> *Petrum Apostolum successisse in Episcopatu Antiocheno alicui ex discipulis, quod est plane intolerandum.*—*De S. Pont. ii. 6. [§ 12.]*

stand those of the ancients, who call Peter Bishop of Rome, and Rome the place, the chair, the See of Peter, as meaning, that he was Bishop or superintendent of that Church, in a large sense; because he did found the Church by converting men to the Christian faith; because he did erect the chair by ordaining the first Bishops; because he did, in virtue both of his Apostolical office and his special parental relation to that Church, maintain a particular inspection over it, when he was there: which notion is not new; for of old Ruffinus affirmeth that he had it, not from his own invention, but from tradition of others: *Some, saith he<sup>4</sup>, inquire how, seeing Linus and Cletus were Bishops in the city of Rome before Clement, Clement himself, writing to James, could say, that the See was delivered to him by Peter: whereof this reason has been given us; that Linus and Cletus were, indeed, Bishops of Rome before Clement, Peter being still living; they taking the episcopal charge, while he fulfilled the office of the Apostleship.*

6 This notion may be confirmed by divers observations.

It is observable, that the most ancient writers, living nearest the fountains of tradition, do not expressly style St Peter Bishop of Rome, but only say, that he did found that Church, instituting and ordaining Bishops there; as the other Apostles did in the Churches which they settled; so that the Bishops there in a large sense did succeed him, as deriving their power from his ordination, and supplying his room in the instruction and governance of that great Church. Yea their words, if we well mark them, do exclude the Apostles from the episcopacy<sup>7</sup>. Which words the later writers (who did not foresee the consequence, nor what an exorbitant superstructure would be raised on that slender bottom, and who were willing to comply with the Roman Bishops, affecting by all means to reckon St Peter for their predecessor) did easily catch, and not well distinguishing, did call him Bishop, and St Paul also, so making two heads of one Church.

7 It is also observable, that in the recensions

<sup>7</sup> Const. Apost. VII. 48. [Τής δὲ Ῥωμαίων ἐκκλησίας Λίνος μὲν ὁ Κλαυδίας πρόστος ὑπὸ Παύλου, Κλήμης δὲ μετὰ τὸν Λίνον θάνατον ὑπὸ ἐμοῦ Πέτρου δεύτερος κεχειροτόνηται.—Cotel. Pat. Apost. Tom. I. P. 383.]

Fundantes igitur, et instruentes beati Apostoli Ecclesiam, Lino Episcopatum administrandæ Ecclesiam tradiderunt.—Iren. III. 3. [§ 3. p. 176.] *The blessed Apostles therefore founding and instructing the Church, delivered the episcopal power of ordering and governing the Church to Linus.*

Cf. Tertull. de Præscrip. cap. XXXII. [Hoc enim modo Ecclesias Apostolicas census suos deferunt: sicut Smyrnæorum Ecclesia Polycarpum ab Joanne conlocatum refert; sicut Romanorum, Clementem a Petro ordinatum itidem.—Opp. p. 213 c.]

of the Roman Bishops, sometimes the Apostles are reckoned in, sometimes excluded.

So Eusebius calleth Clemens *The third Bishop of Rome*<sup>a</sup>, yet before him he reckoneth Linus and Anacletus. And of Alexander he saith, that *He deduced his succession in the fifth place from Peter and Paul*<sup>a</sup>, that is, excluding the Apostles. And Hyginus is thus accounted sometime the eighth, sometime the ninth Bishop of Rome<sup>b</sup>.

The same difference in reckoning may be observed in other Churches; for instance, although St Peter is called no less Bishop of Antioch than of Rome by the ancients, yet Eusebius saith, that *Euodius was first Bishop of Antioch*<sup>c</sup>; and another<sup>d</sup> bids the Antiocheans *Remember Euodius, who was first intrusted with the presidency over them by the Apostles.*

Other instances may be seen in the notes of

<sup>a</sup> Euseb. Eccl. Hist. III. 4. [Ο Ελήμητρ τῆς Ῥωμαίων ἐκκλησίας τρίτος ἐπίσκοπος—.] Cf. III. 4, 13, 15.

Iren. III. 3. [§ 3. Θεμελιώσαντες οὖν καὶ οἰκοδομήσαντες οἱ μακρά ἀπόστολοι τὴν ἐκκλησίαν, Διηρ τὴν τῆς ἐπισκοπῆς λειτουργίαν ἐνεγκαίνουσαι —π. 176.]

Cotelerius upon the Apostolical Constitutions, where he maketh this general observation: *Celebris mos est, Apostolos, pro potestate eorum ordinaria vel extraordinaria, episcopali vel apostolica, indiculis antistitum præfigere, aut ex iis eximere*: but it was needless to suppose these two powers when one was sufficient, it virtually containing the other.

This is an argument that the ancients were not assured in opinion, that the Apostles were Bishops, or that they did not esteem them Bishops in the same notion with others.

8 It is observable, that divers Churches did take denomination from the Apostles, and were called *Apostolical thrones*, or *chairs*<sup>1</sup>, not because the Apostles themselves did sit Bishops there, but because they did exercise their Apostleship in teaching<sup>2</sup>; and in constituting Bishops there, *Who, as Tertullian saith, did propagate the Apostolical seed*<sup>3</sup>.

So was Ephesus esteemed<sup>4</sup>, because St Paul did found it, and ordained Timothy there; and because

<sup>1</sup> Not. in *Apost. Const. Lib. VII. 46.* [Pat. Apost. Tom. I. p. 283.]

<sup>2</sup> *Apostolicas Ecclesias*.—*Tert. de Præscr. cap. XXXII.* [Opp. P. 213 c.]

<sup>3</sup> *Αποστολικοὶ θρόνοι*.—*Soz. I. 17.*

<sup>4</sup> In *Canonicis autem Scripturis Ecclesiarum Catholicarum* quamplurimum auctoritatem sequatur, inter quas sane illæ sunt, quæ *Apostolicas Sedes* habere, et *Epistolas accipere* meruerunt.—*Aug. de Doctr. Ch. II. 8.* [Opp. Tom. III. col. 23 c.] *In the Canonical Scriptures let him follow the authority of very many Catholic Churches, among which are those which had the honour to have Apostolic Sees and receive Apostolic Epistles.*

<sup>1</sup> *Proinde utique et cæteræ exhibent, quos ab Apostolis in Episcopatum constitutos, apostolici seminis traduces habent.*—*Ubi supra.*

<sup>2</sup> *Sed et quæ est Ephesi Ecclesia a Paulo quidem fundata, Johanne autem permanente apud eos usque ad Trajani tempora,*

St John did govern and appoint Bishops there. So was Smyrna accounted, because Polycarpus<sup>4</sup> was settled there by the Apostles, or by St John. So Cyril, Bishop of Jerusalem, had a controversy about metropolitical rights with Acacius, Bishop of Caesarea, as presiding in an Apostolical See. So Alexandria was deemed, because St Mark was supposed by the appointment of St Peter to sit there. So were Corinth, Philippi, Ephesus, called by Tertullian<sup>m</sup>, because St Paul did found them, and furnish them with pastors; in which respect peculiarly the Bishops of those places were called successors of the Apostles. So Constantinople did assume the title of an Apostolical Church<sup>n</sup>,

&c.—Iren. III. 3. [§ 4. p. 178.] *And also the Church of Ephes, which was founded by St Paul, St John continuing with them till the time of Trajan, &c.*

Ordo Episcoporum ad originem recensu, in Johannem subi auctorem.—Tertull. in Marc. IV. 5. [Opp. p. 415 D.]

Τῆς δὲ Ἐφέσου Τιμόθεος μὲν ὑπὸ Παύλου, Ἰωάννης δὲ ἐν Ἰωάννου.—Apost. Const. VII. 46. [Cotel. Pat. Apost. Tom. L p. 384.]

<sup>k</sup> —ab Apostolis in Asia, in ea que est Smyrnis Ecclesia constitutus Episcopus.—Iren. III. 3. [§ 4. p. 176.]

<sup>l</sup> *Sacerdotum Ecclesia habens Patriaratum ab Iohanne subi*

robably because, according to tradition, St Andrew did found that Church, although Pope Leo I.<sup>o</sup> ould not allow it that appellation. Upon the same account might Rome at first be called an apostolical See; although afterward the Roman Bishops did rather pretend to that denomination, upon account of St Peter being Bishop there: and *ie* like may be said of Antioch<sup>p</sup>.

9 It is observable, that the author<sup>q</sup> of the apostolical Constitutions, reciting the first Bishops constituted in several Churches, doth not reckon any of the Apostles; particularly not Peter, or Paul, or John.

10 Again, any Apostle wherever he did reside, by virtue of his Apostolical office without any other resignation or assumption of a more special power, as qualified to preside there, exercising a superintendency comprehensive of all episcopal functions; so that it was needless that he should take upon himself the character or style of a Bishop. his (beside the tenor of ancient doctrine) doth appear from the demeanour of St John, who never was reckoned Bishop of Ephesus; nor could be, without displacing Timothy<sup>r</sup>, who by St Paul was *2 Tim. i. 6.*

<sup>o</sup> Non dedignet regiam civitatem, quam Apostolicam non test facere Sedem——.—Ep. cv. [Opp. Tom. i. p. 1149.] *Let not disdain the royal city, which he cannot make an Apostolic See.*

<sup>p</sup> Memento quia Apostolicam Sedem regis——.—Greg. M. Ep. 39. [Opp. Tom. ii. p. 764 *et. al.*] *Remember you rule an Apostolic See.*

<sup>q</sup> Const. Apost. VII. 46.

<sup>r</sup> Άπο τοῦ ἁγίου Τιμοθέου μέχρι τῶν εκκοινωνῶν ἐπίσκοποι ἦγενοντο. πρεσβεῖς ἐν Ἐφέσῳ ἐχειροτονήθησαν. —Syn. Chal. Act. XI. [Bin. Tom. p. 410 *et. al.*] [Mans. Conc. Tom. VII. col. 293 *et. al.*] *From holy Timothy till now there have been seven and twenty Bishops; and all ordained at Ephesus.*

Johanne autem permanente apud eos, &c.—Iren. III. 3. [§ 4. 178.]

constituted Bishop there, or succeeding in his room yet he, abiding at Ephesus, did there discharge the office of a metropolitan: *Governing the Churches and in the adjacent Churches here constituting Bishops, there forming whole Churches, otherwher allotting to the Clergy persons designed by the Spirit*<sup>8</sup>.

Such functions might St Peter execute in the parts of Rome or Antioch, without being a Bishop and as the Bishops of Asia did, saith Tertullian refer their original to St John, so might the Bishops of Italy, upon the like ground, refer the original to St Peter.

It is observable, that whereas St Peter is affirmed to have been Bishop of Antioch seven yea before his access to Rome<sup>9</sup>, that is, within the compass of St Luke's story, yet he passeth over matter of so great moment; as St Jerome obser eth<sup>10</sup>. I cannot grant, that if St Luke had thought Peter sovereign of the Church, and his episcopacy

<sup>8</sup> Τὰς αὐτόθι διείπεν ἐκκλησίας——ὅπου μὲν ἐπισκόπους καταστῶν, ὅπου δὲ διλας ἐκκλησίας ἀρμόσων, ὅπου δὲ κλήρῳ ἔνα γε τηληρώσων τῶν ὑπὸ τοῦ Πνεύματος σημανομένων.—Euseb. Eccl. III. 23.

<sup>9</sup> Ordo Episcoporum ad originem recensus, in Johannem stat auctorem.—Adv. Marc. IV. 5. [Opp. p. 415 d.]

<sup>10</sup> Baron. Annal. Eccl. ann. XXXIX. § 8. [Tom. I. p. 245. Intertus enim ipse Lucas (ut appareat) miracula insigniora a Petro editi memoriae commendare, ceteras ejus res gestas in hac lustratione provinciae obvolutas silentio prætermisit, et inter alia institutione Ecclesiae Antiochenæ; quam hoc ipso anno ab eo fuisse erecta majorum testificatione facile demonstrabimus.]

<sup>11</sup> Denique primum Episcopum Antiochenæ Ecclesiae Petru fuisse accepimus, et Roman exinde translatum, quod Lucas pertus omisit.—Hier. in Gal. cap. II. [Opp. Tom. IV. P. I. p. 24. Lastly, we have received by tradition that Peter was the first Bishop of Antioch, and from thence translated to Rome: which Luke hath altogether omitted.]

f a place a matter of such consequence, he would have slipped it over, being so obvious a thing, and coming in the way of his story. He therefore, I conceive, was no Bishop of Antioch, although a Bishop at Antioch<sup>a</sup>.

11 If in objection to some of these discourses it be alleged, that St James, our Lord's near kinsman, although he was an Apostle, was made Bishop of Jerusalem; and that for the like reason St Peter might assume the Bishopric of Rome;

I answer :

1 It is not certain, that St James the Bishop of Jerusalem was an Apostle, (meaning an Apostle of the primary rank;) for Eusebius, the greatest antiquary of the old times, doth reckon him one of the seventy disciples<sup>b</sup>. So doth the author of the Apostolical Constitutions in divers places suppose<sup>c</sup>. Hegesippus (that most ancient historian) was of the same mind, who saith, that there were many of this name, and that this James did undertake the Church with the Apostles<sup>b</sup>. Of the same opinion was Epiphanius, who saith, that St James was the son of Joseph by another wife<sup>c</sup>. The whole Greek Church doth suppose the same, keeping three

<sup>a</sup> It is the distinction of a Pope: *Rex Etruriae, et rex in Etruria.*

<sup>b</sup> Εἰς δὲ καὶ οὐτος τῶν φερομένων τοῦ Σωτῆρος μαθητῶν, ἀλλὰ μὴν ἀδελφῶν ἦν.—Euseb. Eccl. Hist. I. 12.

<sup>c</sup> Ἡμεῖς οἱ δώδεκα—ἐπεσκεπτόμεθα ἀμα ἱακώβῳ τῷ τοῦ Κυρίου δελφῷ.—Constit. Apost. vi. 12. [Cotel. Pat. Apost. Tom. I. p. 341.] Ι. vi. 14. [Tom. I. p. 343.] II. 55. [Tom. I. p. 259.] VII. 46. [Tom. I. p. 382, &c.]

<sup>b</sup> Διαδέχεται δέ τὴν ἐκκλησίαν μετὰ τῶν ἀποστόλων δὲ ἀδελφὸς τοῦ Ἰωνίου ἱακώβος.—Hegesip. apud Euseb. Eccl. Hist. II. 23.

<sup>c</sup> [Lib. III. Tom. II. Hær. LXXVIII. p. 1039 B. Ἔσχε μὲν οὖν ῥωπότοκον τὸν ἱακώβον—.]

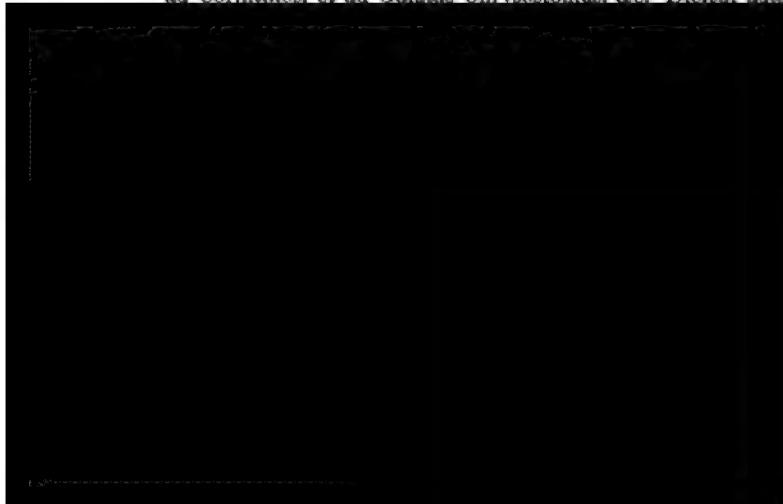
distinct solemnities for him and the two Apostles of the same name. Gregory Nyssen<sup>a</sup>, St Jerome<sup>b</sup> and divers other ancient writers, do concur herewith whom we may see alleged by Grotius<sup>c</sup>, Dr H.mond<sup>d</sup>, (who themselves did embrace the same opinion,) Valesius<sup>e</sup>, Blondel<sup>f</sup>, &c. Salmasius (in his confident manner) saith, *It is certain that he was not one of the twelve<sup>g</sup>*: I may at least say, it is not certain that he was, and consequently the objection is grounded on an uncertainty.

2 Granting that St James was one of Apostles, (as some of the ancients seem to thi-

<sup>a</sup> [Ο δὲ Μάρκος, Ἱακώβους τοῦ μικροῦ καὶ Ἰωσῆ μητέρα αὐτῷ ἐπείπερ ἦν ἄλλος Ἱάκωβος ὁ τοῦ Ἀλφαίου, διὸ τοῦτο μέγας, ὅτι ἀποστόλους τοῖς δώδεκα συνηρίθμητο. Ὁ γὰρ μικρὸς οὐκ ἦν ἐνάριθμος.—In Chr. Resurr. Orat. p. Opp. Tom. II. p. 845 c.]

<sup>b</sup> [Jacobus qui appellatur frater Domini; cognomento iudeus nonnulli existimant, Joseph ex alia uxore, ut autem mihi tur, Mariæ sororis matris Domini, cuius Johannes in libro meminit, filius, &c.—Catal. Script. Eccl. Opp. Tom. IV. P. II. col.

<sup>c</sup> In Jac. i. 1. [Sed non fuisse Apostolum aperte indicati ab Eusebio, Lib. II., Hegesippus et Clemens Alexandri libro Ὀποτηπάσσεων. His adstipulatur Epistola ad Heronem Ignatianas, Cyrillus Hierosolymitanus, et Hieronymus de Scriptis Ecclesiasticis, et ad Galatas, et in Acta, itemque in prius ad Corinthios, et ad Galatas Chrysostomus, &c. Dicitur autem



illing him an Apostle; and as divers modern divines conceive, grounding chiefly upon these words of St Paul, *But other of the Apostles saw I Gal. i. 19. one, save James the Lord's brother, and taking apostles there in the strictest sense,*) I answer,

That the case was peculiar, and there doth appear a special reason, why one of the Apostles should be designed to make a constant residence at Jerusalem, and consequently to preside there like a Bishop. For Jerusalem was the metropolis, the fountain, the centre of the Christian Religion, where it had birth, where was greatest matter and occasion of propagating the Gospel, most people disposed to embrace it resorting thither; where the Church was very numerous, consisting, as St Luke (or St James in him) doth intimate, of divers <sup>Acts xxi.</sup> <sup>20.</sup> myriads of believing Jews; whence it might seem expedient, that a person of greatest authority should be fixed there for the confirming and improving that Church, together with the propagation of Religion among the people, which resorted thither; the which might induce the Apostles to settle St James there, both for discharging the office of an Apostle, and the supplying the room of a Bishop there. According, *To him, saith Eusebius, the episcopal throne was committed by the Apostles*<sup>m</sup>; or, *Our Lord, saith Epiphanius, did not trust him with his own throne*<sup>n</sup>.

<sup>m</sup>*Atu suo rexit.*—Aug. cont. Cresc. II. 37. [Opp. Tom. IX. col. 434 B.] *The Church of Jerusalem, which James the Apostle first governed by his episcopal power.*

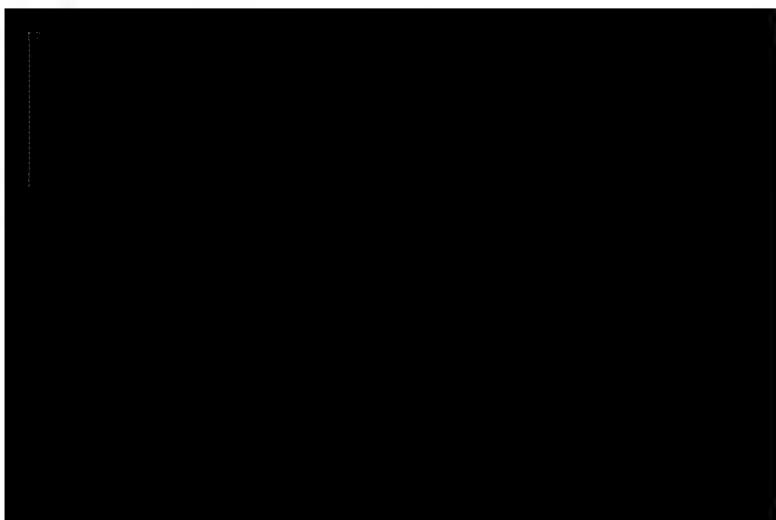
<sup>n</sup>*Ως πρὸς τὸν ἀποστόλων δὲ τῆς ἀνισκοπής τῆς ἐν Ἱερουσαλήμοις ταχεῖριστο θρόνος.*—Eccl. Hist. II. 23.

<sup>m</sup>*Ως πεπίστευκε Κύριος τὸν θρόνον αὐτοῦ ἐπὶ τῆς γῆς πρώτη.*—Iser. LXXXVIII. [p. 1039 c.]

But there was no need of fixing an A at other places; nor doth it appear that any fixed; especially St Peter was uncapable of an employment, requiring settlement and co attendance, who, beside his general Apostl had a peculiar Apostleship of the dispersed committed to him; who therefore was mu gaged in travel for propagation of the faith edifying his converts every where.

3 The greater consent of the most a writers making St James not to have been the twelve Apostles, it is thence accountable (as we before noted) St James was called by ancient writers, the Bishop of Bishops, the ] of Bishops, &c. because he was the first Bis the first See, the Mother Church; the A being excluded from the comparison.

Upon these considerations we have grea son to refuse the assertion or scandal cast Peter, that he took on him to be Bishop of ] in a strict sense, as it is understood in this c versy.



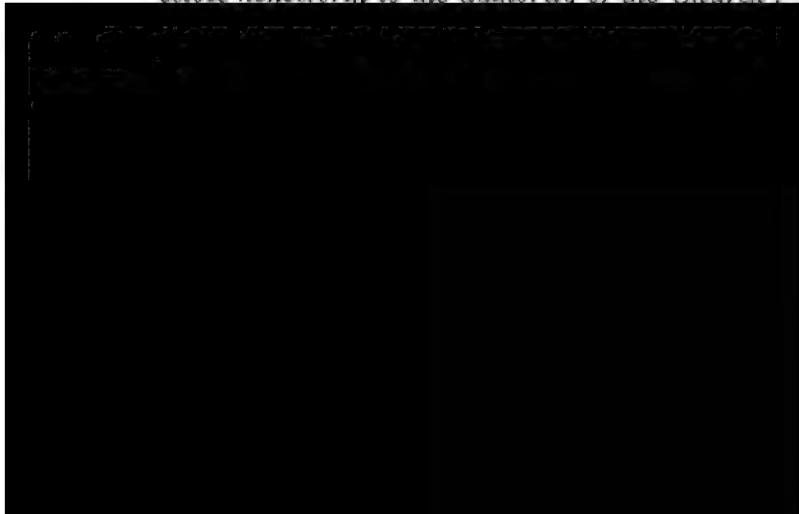
1 If any of the former suppositions be uncertain or false, this assertion, standing on those legs, must partake of those defects, and answerably be dubious or false. If either Peter was not monarch of the Apostles, or if his privileges were not successive, or if he were not properly Bishop of Rome at his decease, then farewell the Romish claim; if any of those things be dubious, it doth totter; if any of them prove false, then down it falleth. But that each of them is false, hath, I conceive, been sufficiently declared; that all of them are uncertain, hath at least been made evident. The structure therefore cannot be firm which relieth on such props.

2 Even admitting all those suppositions, the inference from them is not assuredly valid. For St Peter might have an universal jurisdiction, he might derive it by succession, he might be Bishop of Rome; yet no such authority might hence accrue to the Roman Bishop, his successor in that See. For that universal jurisdiction might be derived into another channel, and the Bishop of Rome might in other respects be successor to him, without being so in this.

As for instance in the Roman empire, before any rule of succession was established therein, the Emperor was sovereign governor, and he might die Consul of Rome, having assumed that place to himself; yet when he died, the supreme authority did not lapse into the hands of the Consul who succeeded him, but into the hands of the Senate and people; his consular authority only going to his successor in that office. So might St Peter's universal power be transferred unto the Ecclesiastical

College of Bishops and of the Church; his episcopal inferior authority over the singular *metropolis*, province of Rome, being transmitted to his followers in that chair.

3 That in truth it was thus, and that all the authority of St Peter, and of all other Apostles, was devolved to the Church, and to the representative body thereof, the Fathers did suppose; affirming the Church to have received from our Lord a sovereign power. *This, saith St Cyprian<sup>o</sup>, is that one Church, which holdeth and possesseth all the power of its Spouse and Lord; in this we preside; for the honour and unity of this we fight*,—in his Epistle to Jubianus, wherein he doth impugn the proceeding of Pope Stephanus; the which sentence St Austin appropriateth to himself<sup>r</sup>, speaking it absolutely without citing St Cyprian. To this authority of the Church, St Basil would have all that confess the faith of Christ to submit: *To which end we exceedingly need your assistance, that they who confess the Apostolic faith would renounce their schisms which they have devised, and submit themselves henceforth to the authority of the Church*<sup>s</sup>.



the administration of ecclesiastical affairs concerning the public state of the Church, the defence of the common faith, the maintenance of order, peace, and unity, jointly to belong unto the whole body of ~~pastors~~<sup>1</sup>; according to that of St Cyprian to Pope Stephanus himself: *Therefore, most dear brother, the body of priests is copious, being joined together by the glue of mutual concord, and the bond of unity, that if any of our college should attempt to make heresy, and to tear or waste the flock of Christ, the rest may come to succour; and like useful and merciful shepherds may recollect the sheep into the flock*<sup>2</sup>. And again: *Which thing it concerns us to look after and redress, most dear brother, who bearing in mind the divine clemency, and holding the scales of the Church-government<sup>3</sup>, &c.* So even the Roman clergy did acknowledge: *For we ought all of us to watch for the body of the whole Church, whose members are digested through several provinces*<sup>4</sup>. *Like the Trinity, whose power is one and undivided, there is one priesthood among*

<sup>1</sup> Collegium sacerdotum.—Cypr. Ep. lli. [Opp. p. 74.] Cf. Ep. LXVII. [Opp.] p. 186.

<sup>2</sup> Υπὲρ πάσης ἐπισκοπῆς τῆς ὑπὸ τὸν οὐρανόν.—Apost. Const. VIII. 10. [Cotel. Pat. Apost. Tom. I. p. 396.]

<sup>3</sup> Idecirco enim, frater carissime, copiosum corpus est sacerdotum, concordiae mutuae glutino atque unitatis vinculo copulatum, ut si quis ex collegio nostro haeresin facere, et gregem Christi hecerae et vastare tentaverit, subveniant casteri, et quasi pastores utiles et misericordes oves Domini in gregem colligant.—Ep. LXVII. [Opp. p. 116.]

<sup>4</sup> Cui rei nostrum est consulere, et subvenire, frater carissime, qui divinam clementiam cogitantes, et gubernandas Ecclesias libram tenentes, &c.—Ibid. [Opp. p. 115.]

<sup>5</sup> Omnes enim nos decet pro corpore totius Ecclesiae, cuius per varias quasque provincias membra digesta sunt, excubare.—Oler. Rom. apud Cypr. Ep. xxx. [Opp. p. 41.]

*divers Bishops*<sup>x</sup>. So in the Apostolical Constitutions, the Apostles tell the Bishops, that *An universal episcopacy is intrusted to them*<sup>y</sup>. So the Council of Carthage with St Cyprian: *Clear and manifest is the mind and meaning of our Lord Jesus Christ, sending his Apostles, and affording to them alone the power given him of the Father; in whose room we succeeded, governing the Church of God with the same power*<sup>z</sup>. *Christ our Lord and our God going to the Father, commended his spouse to us*<sup>a</sup>. A very ancient instance of which administration is the proceeding against Paulus Samostenus; when *The pastors of the Churches, some from one place, some from another, did assemble together against him as a pest of Christ's flock, all of them hastening to Antioch*<sup>b</sup>; where they deposed, exterminated, and deprived him of communion, warning the whole Church to reject and disavow him.

*Seeing the pastoral charge is common to us all, who bear the episcopal office, although thou sittest in a higher and more eminent place*<sup>c</sup>.

<sup>x</sup> Ad Trinitatis instar, cuius una est atque individua potest, unum sit nec diversos antistites sacerdotium. — P. Samothe.

*Therefore for this cause the Holy Church is committed to you and to us, that we may labour for all, and not be slack in yielding help and assistance to all<sup>4</sup>.*

Hence St Chrysostom said of **Eustathius** his Bishop: *For he was well instructed and taught by the grace of the Holy Spirit, that a president or Bishop of a Church ought not to take care of that Church alone, wherewith he is intrusted by the Holy Ghost, but also of the whole Church dispersed throughout the world<sup>5</sup>.*

They consequently did repute schism, or ecclesiastical rebellion, to consist in a departure from **the consent of the body of the priesthood**, as St Cyprian in divers places doth express it in his **Epistles** to Pope Stephen and others.

They deem all Bishops to partake of the Apostolical authority, according to that of St Basil to **St Ambrose**: *The Lord himself hath translated thee from the judges of the earth unto the prelacy of the Apostles<sup>6</sup>.*

**Pastoralis**—.—Aug. ad Bonif. contra duas Epist. Pelag. [Opp. Tom. x. col. 412 b.]

<sup>4</sup> *Hujus ergo rei gratia vobis et nobis sancta commissa est Ecclesia, ut pro omnibus laboremus, et cunctis opem ferre non negligamus.*—P. Joh. I. Ep. 1. (ad Zachar.) Bin. Tom. III. p. 812. [C. 2c.] [Mans. Conc. Tom. VIII. col. 604 d.]

<sup>5</sup> *Καὶ γὰρ ἦν πεπαιδευμένος καλῶς παρὰ τῆς τοῦ Πνεύματος χάριτος, ὅταν τῆς ἐκελησίας προστέωτα οὐν ἔκεινης μόνης κήδεσθαι δεῖ τῆς παρὰ τοῦ Πνεύματος ἐγχειρισθείσης αὐτῷ, ἀλλὰ καὶ πάσης τῆς κατὰ τὴν αἰσκομένην κειμένης.*—Or. xcm. Opp. Tom. v. [p. 631.]

<sup>6</sup> *A corpore nostri, et sacerdotii consensione discesserit.*—

—Ep. LXVII. [Opp. p. 115.]

*Qui se ab Ecclesiæ vinculo, atque a sacerdotum collegio separeat.*—Ep. LII. [Opp. p. 74.]

<sup>7</sup> *Λύτός σε δὲ Κύριος, ἀπὸ τῶν κριτῶν τῆς γῆς, ἐπὶ τὴν προεδρίαν τῶν ἀποστόλων μετέθηκε.*—Ep. cxvii. [Opp. Tom. III. p. 288 A.]

They took themselves all to be vicars of Christ, and judges in his stead; according to that of St Cyprian: *For heresies are sprung up, and schisms grown from no other ground or root but this, because God's priest was not obeyed, nor was there one priest or Bishop for a time in the Church, nor a judge thought on for a time to supply the room of Christ<sup>h</sup>.* Where that by Church is meant any particular Church, and by priest a Bishop of such Church, any one, not bewitched with prejudice, by the tenor of St Cyprian's discourse will easily discern<sup>i</sup>.

They conceive that our Saviour did promise to St Peter the keys in behalf of the Church, and as representing it<sup>k</sup>.

They suppose the combination of Bishops in peaceable consent and mutual aid, to be the rock on which the Church is built.

They allege the authority granted to St Peter as a ground of claim to the same in all Bishops jointly, and in each Bishop singly, according to his *rata pars*, or allotted proportion. *Which may easily be understood by the words of our Lord*

*of Constantine in my hands, you of Peter<sup>m</sup>*, said our great King Edgar.

They do therefore in this regard take themselves all to be successors of St Peter, that his power is derived to them all, and that the whole episcopal order is the chair by the Lord's voice founded on St Peter: thus St Cyprian in divers places (before touched) discourses; and thus Firmilian from the keys granted to St Peter inferreth, disputing against the Roman Bishop: *Therefore, saith he, the power of remitting sins is given to the Apostles, and to the Churches, which they being sent from Christ did constitute, and to the Bishops, which do succeed them by vicarious ordination<sup>n</sup>.*

4 The Bishops of any other Churches founded by the Apostles, in the Fathers' style are successors of the Apostles, in the same sense, and to the same intent, as the Bishop of Rome is by them accounted successor of St Peter; the Apostolical power, which in extent was universal, being in some sense, in reference to them, not quite extinct, but transmitted by succession: yet the Bishops of Apostolical Churches did never claim, nor allowedly exercise, Apostolical jurisdiction beyond their own precincts; according to those words of St Jerome<sup>o</sup>: *Tell me, how doth Palestine belong to the Bishop of Alexandria?* This sheweth the inconsequence of their discourse; for in like manner the Pope might be

<sup>m</sup> *Ego Constantini, vos Petri gladium habetis in manibus.*

<sup>n</sup> *Potestas ergo peccatorum remittendorum Apostolis data est, et Ecclesiis quas illi a Christo missi constituerunt, et Episcopis qui eis ordinatione vicaria successerunt.*—*Apud Cypr. Ep. lxxv. [Opp. ] p. 148.*

<sup>o</sup> *Responde mihi: ad Alexandrinum Episcopum Palestina quid pertinet?*—*Hier. ad Pammach. Ep. xxxviii. [Opp. Tom. iv. P. II. p. 230.]*

successor to St Peter, and St Peter's universal power might be successive, yet the Pope have no singular claim thereto, beyond the bounds of his particular Church.

5 So again, for instance, St James (whom the Roman Church, in her Liturgies, doth avow for an Apostle) was Bishop of Jerusalem more unquestionably than St Peter was Bishop of Rome; Jerusalem also was the root, and *The mother of all Churches*, (as the Fathers of the second general Synod, in their letter to Pope Damasus himself, and the occidental Bishops did call it, forgetting the singular pretence of Rome to that title.) Yet the Bishops of Jerusalem, successors of St James, did not thence claim I know not what kind of extensive jurisdiction; yea, notwithstanding their succession, they did not so much as obtain a metropolitical authority in Palestine, which did belong to Caesarea (having been assigned thereto in conformity to the civil government,) and was by special provision reserved thereto in the Synod of Nice<sup>4</sup>; whence St Jerome<sup>5</sup> did not stick to affirm, that

the Bishop of Jerusalem was subject to the Bishop

Bishop of Alexandria, he saith<sup>a</sup>: *Thou hadst rather cause molestation to ears possessed, than render honour to thy metropolitan, that is, to the Bishop of Cæsarea.*

By which instance we may discern what little consideration sometimes was had of personal or topical succession to the Apostles in determining the extent of jurisdiction: and why should the Roman Bishop upon that score pretend more validity than others?

6 St Peter probably ere that he came at Rome did found divers other Churches, whereof he was paramount Bishop, or did retain a special superintendency over them; particularly Antioch was anciently called his See<sup>t</sup>, and he is acknowledged to have sat there seven years before he was Bishop of Rome. Why therefore may not the Bishop of Antioch pretend to succeed St Peter in his universal pastorship, as well as his younger brother of Rome? why should Euodius, ordained by St Peter at Antioch, yield to Clemens, afterward by him ordained at Rome? Antioch was the firstborn of Gentile Churches, where the name Acts xi. 26. of Christians was first heard; Antioch was (as the Constantinopolitan Fathers called it) *The most ancient and truly Apostolical Church<sup>u</sup>.* Antioch,

<sup>a</sup> *Maluisti occupatis auribus molestias facere, quam debitum Metropolitano tuo honorem reddero.*—*Ubi supra.*

<sup>t</sup> — *Θρόνον τῆς Ἀντιοχέων μεγαλοπόλεως, τὸν τοῦ ἀγίου Πέτρου.*  
— *Syn. Chalced. Act. vii.* [Bin. Tom. III. p. 364 b.] [Mans. Conc. Tom. VII. col. 180 d.]

Hier. ad Gal. cap. II. [Opp. Tom. IV. P. I. p. 244.]

P. Pelag. II. Ep. I. [Bin. Tom. IV. p. 468 b.] [Mans. Conc. Tom. IX. col. 882 d.]

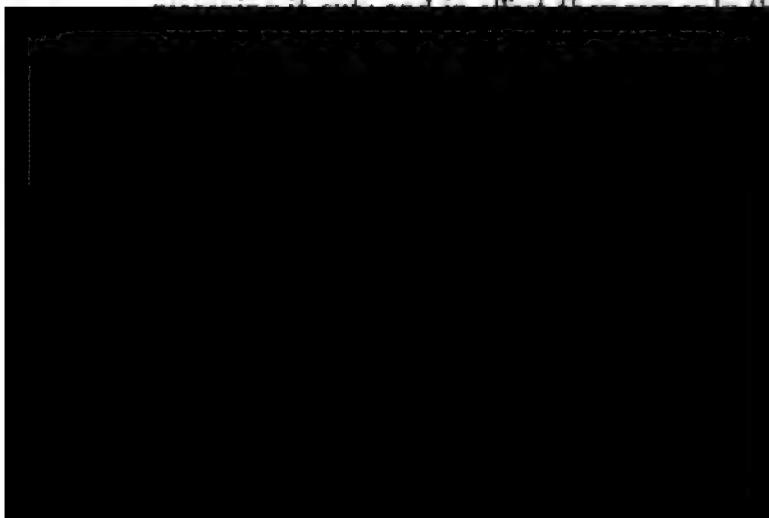
<sup>u</sup> *Ἡ πρεσβυτάρη καὶ δητὸς ἀποστολικῆ ἐκκλησία.*—*Theodor. Ecol. Hist.* [Opp. Tom. III. p. 717 c.]

by virtue of St Peter's sitting there<sup>x</sup>, or pec  
relation to it, was (according to their own conc  
the principal See. Why therefore should St I  
be so unkind to it, as not only to relinquish it,  
to debase it; not only transferring his See <sup>to</sup>  
it, but divesting it of the privilege which it  
got? Why should he prefer before it the cit  
Rome, the mystical Babylon, *The mother of ab  
nations of the earth*, the throne of Satan's em  
the place which did then most persecute  
Christian faith, and *was drunk with the bloo  
the saints*<sup>y</sup>?

Rev. xvii.  
5, 6.

7 The ground of this preference was, say th  
St Peter's will: and they have reason to say  
for otherwise if St Peter had died intestate,  
elder son of Antioch would have had the  
right to all his goods and dignities. But  
doth that will appear? in what table was it writ  
in what registers is it extant? in whose pres  
did he nuncupate it? It is nowhere to be see  
heard of

Neither do they otherwise know of it, tha



in St Peter might will as well to his former See Antioch, as to his latter of Rome.

8 Indeed, Bellarmine sometimes positively and riskily enough doth affirm, that *God did command St Peter to fix his See at Rome*<sup>a</sup>: but his proofs of it are so ridiculously fond and weak, that I grudge the trouble of reciting them; and he himself sufficiently confuteth them, by saying elsewhere: *It is not unprobable, that our Lord gave an express command, that Peter should so fix his See at Rome, that the Bishop of Rome should absolutely succeed him*<sup>b</sup>.

He saith it is not unprobable; if it be no more than so, it is uncertain; it may be a mere conjecture or a dream. It is much more not unprobable, that if God had commanded it, there would have been some assurance of a command so very important.

9 Antioch hath at least a fair plea for a share in St Peter's prerogatives; for it did ever hold the repute of an Apostolical Church, and upon that score some deference was paid to it: why so, if St Peter did carry his See with all its prerogatives to another place? But if he carried with him only part of his prerogative, leaving some part behind at Antioch, how much then, I pray, did he leave there? why did he divide unequally, or leave less than half? If

<sup>a</sup> Quoniam autem jus successionis Pontificum Romanorum in fundatur, quod Petrus Romæ Sedem suam, jubente Domino, locaverit, ——. — De S. Pont. II. 1. [§ 1.]

Deus ipse jussit Romæ figi Apostolicam Petri Sedem. — IV. 4. 10.]

<sup>b</sup> Non est improbable, Dominum etiam aperte jussisse, ut eadem suam Petrus ita figeret Romæ, ut Romanus Episcopus solute ei succederet. — Id. II. 12. [§ 17.]

perchance he did leave half, the Bishop of Antioch is equal to him of Rome.

10 Other persons also may be found, who, according to equal judgment, might have a better title to the succession of Peter in his universal authority than the Pope; having a nearer relation to him than he, (although his successor in one charge,) or upon other equitable grounds. For instance, St John, or any other Apostle, who did survive St Peter: for if St Peter was the father of Christians, (which title yet our Saviour forbiddeth any one to assume,) St John might well claim to be his eldest son; and it had been a very hard case for him to have been postponed in the succession; it had been a derogation to our Lord's own choice, a neglect of his special affection, a disparagement of the Apostolical office, for him to be subjected to any other; neither could any other pretend to the like gifts for management of that great charge.

11 The Bishop of Jerusalem might with much reason have put in his claim thereto, as being successor of our Lord himself, who unquestionably was the High Priest of our profession, and Archbishop of all our souls; whose See was the mother of all Churches; wherein St Peter himself did at first reside, exercising his vicarship: if our Lord, upon special accounts out of course, had put the sovereignty into St Peter's hands, yet after his decease it might be fit that it should return into its proper channel.

This may seem to have been the judgment of the times, when the author of the Apostolical Constitutions did write, who reporteth the Apostles to

ave ordered prayers to be made first for James, then for Clement, then for Euodius<sup>c</sup>.

12 Equity would rather have required, that we should by common consent and election of the whole Church be placed in St Peter's room, than that the Bishop of Rome, by election of a few persons there, should succeed into it.

As the whole body of pastors was highly concerned in that succession, so it was reasonable that all of them should concur in designation of a person hereto; it is not reasonable to suppose that either God would institute, or St Peter by will should devise a course of proceeding in such a case so unequal and unsatisfactory.

If therefore the Church, considering this equity of the case, together with the expediency of affairs in relation to its good, should undertake to choose for itself another monarch, (the Bishop of another see, who should seem fitter for the place,) to succeed into the prerogatives of St Peter, that person would have a fairer title to that office than the Pope; for such a person would have a real title, founded on some reason of the case; whereas the Pope's pretence doth only stand upon a positive institution, whereof he cannot exhibit any certificate. This was the mind of a great man among themselves; who saith, that *If possibly the Bishop of Triers should be chosen for head of the Church. For the Church has free power to provide itself a head<sup>d</sup>.* Bellarmine himself confesseth, that if St

<sup>c</sup> Const. Apost. viii. 10. [Cotel. Pat. Apost. Tom. I. p. 396.]

<sup>d</sup> Quod si per possibile Treverensis Archiepiscopus per Ecclesiam congregatam pro praeside et capite eligeretur——. Et quod siam habeat illam potestatem sibi de capite providendi libere, met quia, &c.—Card. Cus. de Conc. Cath. II. [34. Opp. p. 774.]

Peter (as he might have done if he had pleased) should have chosen no particular See, as he did not for the first five years, then after Peter's death neither the Bishop of Rome nor of Antioch succeeded, but he whom the Church should have chosen for itself<sup>e</sup>. Now if the Church upon supposition would have had such a right, it is probable that St Peter *by his fact<sup>f</sup>* would have priv'd it thereof, or willingly done any thing to prejudice to it; there being apparently so much equity, that the Church should have a strong designation of its pastor.

In ancient times there was not any such Church which had not a suffrage in the choice of its pastor; and was it fitting that all the Churches should have one imposed on it without its consent?

If we consider the manner in ancient times of electing and constituting the Roman Bishop, we may thence discern not only the improbability, but the iniquity of this pretence: how was he then chosen? was it by a general Synod of Bishops, or by a

<sup>e</sup> Nam potuisse Petrus nullam Sedem particularem sub eorum aliquo sicut fecit primis quinque annis, et tunc mo



ates from all parts of Christendom, whereby the common interest in him might appear, and whereby the world might be satisfied that one was elected fit for that high office? No; he was chosen, as usually then other particular Bishops were, by the clergy and people of Rome; none of the world being conscious of the proceeding, or bearing any share therein.

Now was it equal that such a power of imposing a sovereign on all the grave Bishops, and on all the good people of the Christian world, should be granted to one city? Was it fitting that such a charge, importing advancement above all pastors, and being intrusted with the welfare of all souls in Christendom, should be the result of an election liable to so many defects and corruptions; which assuredly often, if not almost constantly, would be procured by ambition, bribery, or partiality; would be managed by popular faction and tumults? It was observed generally of such elections by Nazianzen, that *Prelacies were not got so much by virtue as by naughtiness; and that episcopal thrones belonged less to the more worthy, than to the more powerful*<sup>b</sup>: and declaring his mind or wish, that elections of Bishops should rest only or chiefly in the best men; not in the wealthiest and mightiest; or in the impetuousness and unreasonableness of the people, and among them in those who are most easily bought and bribed<sup>i</sup>; whereby he intimateth

<sup>b</sup> Οὐ γάρ ἐξ ἀρετῆς μᾶλλον, ἢ κακουργίας, ἢ προεδρία· οὐδὲ τῶν δικαίων, μᾶλλά τῶν δυνατωτέρων, οἱ θρόνοι.—[Or. xlvi. Opp. Tom. I. p. 791 D.]

<sup>i</sup> 'Εφ' οὐς ἔδει τὰς τοιαύτας προβολὰς κεῖσθαι μόνοις, ἢ δτι μᾶλιστα μᾶλλά μή τοις εὐπορεωτάτοις τε καὶ δυνατωτάτοις, ἢ φορὰ δήμου καὶ λογίας, καὶ τούτων αὐτῶν μᾶλιστα τοῖς εὐενοτάτοις. τὸν δὲ κινδυνεύε

the common practice, and subjoineth: *But now I can hardly avoid thinking that the popular (or civil) governances are better ordered than ours, which are reputed to have divine grace attending them.*

And that the Roman elections in that time were come into that course, we may see by the relation and reflections of an honest Pagan Historian concerning the election of Pope Damasus, (contemporary of Gregory Nazianzen;) *Damasus, saith he<sup>k</sup>, and Ursinus, above human measure burning with desire to snatch the episcopal See, did, with divided parties, most fiercely conflict;* in which conflict upon one day, in the very Church, an hundred and thirty persons were slain; so did that great Pope get into the chair: thus, as the Historian reflecteth, the wealth and pomp of the place naturally did provoke ambition<sup>1</sup> by all means to seek it, and did cause fierce contentions to arise in the choice; whence commonly, wise and modest persons being excluded from any capacity thereof, any ambitious and cunning man, who had the art or the luck to please the multitude, would by violence obtain it: which was a goodly way of constituting a sovereign to the Church.

Thus it went within three ages after our Lord and afterwards, in the declensions of Christian simplicity and integrity, matters were not like to be

τὰς δημοσίας ἀρχὰς εὐτακτωτέρας ὑπολαμβάνει τῶν ἡμετέρων, αἰς ἡ θεία χάρις ἐπιφημίζεται.—[Or. xviii. Opp. Tom. 1. p. 356 B.]

<sup>k</sup> *Damasus et Ursinus supra humanum modum ad rapiendam Episcopatus Sedem ardentes, scisis studiis acerrime conflictabantur.*—Ammian. Marcel. Lib. xxvii. [3. § 12.]

<sup>1</sup> *Neque ego abnuo, ostentationem rerum considerans urbana- rum, hujus rei cupidos, &c.*—Id. ibid.

intended, but did, indeed, rather grow worse; as beside the reports and complaints of historians, how that commonly by ambitious pretensions, by simoniacal corruptions, by political bandyings, by popular factions, by all kinds of sinister ways, men crept into the place, doth appear by those many dismal schisms, which gave the Church many pretended heads, but not one certain one; as also by the result of them, being the choice of persons very unworthy and horribly flagitious<sup>m</sup>.

<sup>m</sup> *Damasus II.* —pontificatum per vim occupat, nullo cleri populi consensu. Adeo enim inoleverat hic mos, ut jam cuique ambitione licet Petri Sedem invadere.—Plat. Vit. Pontif. p. 314. *Damasus II. invades the popedom by force, without any consent of the clergy and people; for so was it now grown into custom, that any ambitious man might invade Peter's See.*

Eo enim tum Pontificatus devenerat, ut qui plus largitione et ambitione, non dico sanctitate vitae et doctrina valeret, is tantummodo dignitatis gradum bonis oppressis et rejectis obtineret: quem morem utinam aliquando non retinuissent nostra tempora.—Plat. in Vit. Sylvest. III. [p. 311.] *For the business of the papacy was come to that pass, that whoever by bribery and ambition, I say not by holiness of life and learning, got the start of others, he alone obtained that degree of dignity, good men in the mean being depressed and rejected: which custom I would to God our times had not retained.*

Cum jam eo devenissent ecclesiastici, ut non coacti ut antea, sed sponte et largitionibus pontificium munus obirent.—Plat. in Vit. Stephan. VI. [p. 272] *Wheras now ecclesiastical persons are come to that pass, that they execute the papal office, not being compelled unto it, as heretofore, but of their own accord, and by bribing for it. Cf. Baron. Ann. Eccl. ann. 912. § 8. [Tom. xv. p. 571.]*

Videbat enim Imperator eo licentiae factiosum quemque et potentem, quamvis ignobilem devenisse, ut corruptis suffragiis tantum dignitatem consequeretur, &c.—Plat. in Vit. Clem. II. p. 313. *For the Emperor saw that every factious and powerful person, though base and ignoble, was grown to that height of licentiousness, that he obtained so great dignity by corruption and buying of suffrages.*

Omne Papale negotium manus agunt. Quem dabis mihi de tota maxima urbe, qui te in Papam receperit, pretio seu spe pretii non interveniente?—Bern. de Consid. iv. 2. [Opp. Tom. iv. fol. 14. Ed. Mabill.] *The whole business of making a Pope is managed by*

If it be said, that the election of a Pope in old times was wont to be approved by the consent of all Bishops in the world, according to the testimony of St Cyprian, who saith of Cornelius, that *He was known by the testimony of his fellow Bishops, whose whole number through all the world did with peaceful unanimity consent*<sup>o</sup>: I answer, that this consent was not in the election, or antecedently to it, that it was only by letters or messages declaring the election, according to that of St Cyprian<sup>o</sup>; that it was not anywise peculiar to the Roman Bishop, but such as was yielded to all catholic Bishops, each of whom was to be approved, as St Cyprian saith, by the testimony and judgment of his colleagues; that it was in order only to the maintaining fraternal communion and correspondence, signifying that such a Bishop was duly elected by his clergy and people, was rightly ordained by his neighbour Bishops, did profess the Catholic Faith, and was therefore qualified for communion with his brethren; such a consent to the election of any

*gifts: whom can you shew me, in all this great city, who took you into the Papacy without being bribed and corrupted with reward, or at least*

Bishop of old was given, (especially upon occasion, and when any question concerning the right of a Bishop did intervene,) whereof now in the election of a Pope no footstep doth remain.

We may also note, that the election of Cornelius being contested, he did more solemnly acquaint all the Bishops of the world with his case, and so did obtain their approbation in a way more than ordinary.

13 If God had designed this derivation of universal sovereignty, it is probable that he would have prescribed some certain, standing, immutable way of election, and imparted the right to certain persons, and not left it at such uncertainty to the chances of time; so that the manner of election hath often changed, and the power of it tossed into divers hands<sup>4</sup>.

Of old it was (as other elections) managed by nomination of the clergy, and suffrage of the people<sup>5</sup>.

Afterward the Emperors did assume to themselves the nomination or approbation of them: *For then nothing was done by the clergy in the choice of the Pope, unless the Emperor had approved his election<sup>6</sup>. But he, seeing the prince's consent was required, sent messengers with letters, to entreat*

<sup>4</sup> *Et licet diversis temporibus diversi modi super electione Romanorum Pontificum observati sint, prout necessitas, et utilitas Ecclesiae exposcebat*—Conc. Bas. Sess. xxxvii. apud Bin. Tom. viii. p. 98. [c. 1 B.] [Mans. Conc. Tom. xxix. col. 185 A.]

<sup>5</sup> *Vid. Grat. Dist. LXIII. per tot. [Corp. Jur. Can. Tom. I. p. 83, et seqq.]*

<sup>6</sup> *Nil enim tum a clero in eligendo Pontifice actum erat, nisi ejus electionem Imperator approbasset*—Plat. in Vit. Pelag. II. [p. 154.]

*Mauritius that he would not suffer the election made by the clergy and people of Rome in that case to be valid<sup>1</sup>. Leo VIII. being tired out with the inconstancy of the Romans, transferred the whole power and authority of choosing the Pope from the clergy and people of Rome to the Emperor<sup>2</sup>.*

At some times the Clergy had no hand in the election<sup>3</sup>; but Popes were intruded by powerful men or women at their pleasure<sup>4</sup>.

Afterwards the Cardinals (that is, some of the chief Roman Clergy) did appropriate the election to themselves, by the Decree of Pope Nicholas II in his Lateran Synod<sup>5</sup>.

Sometimes, out of course, general Synods did assume the choice to themselves; as at Constance, Pisa, and Basil.

14 From the premises, to conclude the Pope's title to St Peter's authority, it is requisite to show

<sup>1</sup> *Is autem, cum principis consensu requireretur, nuncios et litteris miserat, qui Mauritium obsecrarent, ne pateretur electione cleri et populi Romani ea in re valere.—Plat. in Vit. Greg. X [p. 155.]*

<sup>2</sup> *Leo VIII. Romanorum inconstantiam pertilesus, auctoritas omnem eligendi Pontificis a clero, populoque Romano ad Imper-*

the power demised by him to be, according to God's institution and intent, immutable and indefectible; for power built upon the like, but far more certain principles, hath in course of times, and by worldly changes, been quite lost, or conveyed into other channels than those wherein it was first put; and that irrecoverably, so that it cannot anywise be retrieved, or reduced into the first order.

For instance, Adam was by God constituted universal sovereign of mankind; and into that power his eldest son of right did succeed; and so it of right should have been continually propagated. Yet soon did that power fail, or was diverted into other courses; the world being cantonized into several dominions; so that the heir at law among all the descendants of Adam cannot so easily be found, as a needle in a bottle of hay; he probably is a subject, and perhaps is a peasant.

So might St Peter be monarch of the Church, and the Pope might succeed him; yet by revolutions of things, by several defaults and incapacities in himself, by divers obstructions incident, by forfeiture upon encroaching on other men's rights, according to that maxim of a great Pope: *He loseth his own, who coveteth more than his due*<sup>1</sup>; his Power might be clipped, might be transplanted, might utterly decay and fail; to such fatalities other powers are subject; nor can that of the Pope be exempt from them, as otherwhere we shall more largely declare.

15 Indeed, that God did intend his Church should perpetually subsist united in any one political

<sup>1</sup> *Propria perdit, qui indebita concupiscit.*—P. Leo I. [Ep. civ. Opp. Tom. I. col. 1149.]

frame of government, is a principle which they do assume and build upon, but can nowise prove. Nor, indeed, is it true: for if the unity of the Church designed and instituted by God were only an unity of faith, of charity, of peace, of fraternal communion and correspondence between particular societies and pastors, then in vain it is to seek for the subject and seat of universal jurisdiction. Now that God did not intend any other unity, than such as those specified, we have good reason to judge, and shall, we hope, otherwhere sufficiently prove.

16 We may consider, that really the sovereign power (such as it is pretended) hath often failed, there having been for long spaces of time no Roman Bishops at all, upon several accounts; which is a sign that the Church may subsist without it.

As, (1) When Rome was desolated by the Goths, Vandals, and Lombards.

(2) In times when the Romans would not suffer Popes to live with them\*.

(3) In case of discontinuance from Rome, when the Popes (so calling themselves) did for above

o schisms,) when either there was no true Pope, which in effect was the same, no certain one.

(5) When Popes were intruded by violence, om Baronius<sup>c</sup> himself positively affirmeth to ve been no Popes: how then could a succession true Popes be continued from them by the rgy, which they in virtue of their papal autho y did pretend to create?

(6) When elections had a flaw in them, were canonical, and so null.

(7) When Popes were simoniacally chosen; o by their own rules and laws are no true pes; being heretics, heresiarchs<sup>d</sup>. The which s done for long courses of time very commonly, d in a manner constantly<sup>e</sup>.

<sup>c</sup> Annal. Eccl. 912. § 8. [Quæ tunc facies S. Ecclesie Ro mæ? quam fodiissima, cum Romæ dominarent turpulentissime ie ac sordidissimæ meretrices? quarum arbitrio mutarentur ea, darentur Episcopi, et quod auditu horrendum et infandum intruderentur in Sedem Petri earum amasii pseudo Pontifices —. Quis enim a scortis hujusmodi intrusos sine lege legitimos re posset Romanos fuisse Pontifices?—Tom. xv. p. 571.]

<sup>d</sup> P. Greg. VII. Ep. iii. 7. [Bin. Tom. vii. p. 374, c. 2 E.] ms. Conc. Tom. xx. col. 193 B. De Xerimno vero quondam capitulo Bambergensi Episcopo, noverit vestra sublimitas, quia diu est ex quo per quemdam ejusdem Ecclesie clericum vobis troque confratri Sigifredo Moguntino Archiepiscopo et clericis dictæ Ecclesie misimus per nostras literas, auctoritate Apos to Sedis ab omni episcopali et sacerdotali dignitate sit detu, et anathematis vinculo alligatus, quia non timuit simoniace ei sacrilegium adjicere.]

P. Jul. II. in Conc. Lat. Sess. v. [Bin. Tom. ix. p. 57, c. 1 D, E.] son solum hujusmodi electio vel assumptio eo ipso nulla existat —, &c.—Vide sup. § 12.

<sup>e</sup> Vide quæso quantum isti degeneraverint a majoribus suis. enim utpote viri sanctissimi dignitatem ultro oblatam contemnt, orationi et doctrinæ Christianæ vacantes; hi vero largi et ambitione pontificatum quærentes, et adepti, posthabito o cultu, &c.—Plat. in Vit. Serg. III. p. 279. See, I beseech how much they have degenerated from their ancestors; for they

(8) When Popes have been deposed; (as some by the Emperors, others by general Councils;) in which case, according to papal principles, the successors were illegal; for the Pope being sovereign, he could not be judged or deposed; and his successor is an usurper.

(9) When Popes were heretical, that is (say they) no Popes.

(10) When atheists, sorcerers,—

Elections in some of these cases being null, and therefore the acts consequent to them invalid, there is probably a defialance of right continued to posterity<sup>1</sup>.

And probably therefore there is now no true Pope.

For (upon violent intrusion, or simoniacal choice, or any usurpation) the Cardinals, Bishops, &c. which the Pope createth, are not truly such; and consequently their votes not good in the choice of another Pope; and so successively.

These considerations may suffice to declare the

*as being very holy men did contemn that dignity when freely offered*

consequence of their discourses, even admitting their assertions, which yet are so false, or so apparently uncertain.

I shall in the next place level some arguments directly against their main conclusion itself.

I. My first argument against this pretence shall be, that it is destitute of any good warrant, either from divine or human testimony; and so is groundless. As will appear by the following considerations.

I. If God had designed the Bishop of Rome to be, for the perpetual course of times, sovereign monarch of his Church, it may reasonably be supposed, that he would expressly have declared his mind in the case<sup>5</sup>; it being a point of greatest importance of all that concern the administration of his kingdom in the world. Princes do not use to send their viceroys unfurnished with patents, clearly signifying their commission, that no man, but of ignorance or doubt concerning that point, excusably may refuse compliance; and in all equity promulgation is requisite to the establishment of any law, or exacting obedience. But in all the precepts of divine revelation the Bishop of Rome is not so much as once mentioned, either by name, or by character, or by probable intimation; they cannot hook him in otherwise, than by straining hard, and framing a long chain of consequences; each of which is too subtle for to constrain any

<sup>5</sup> Nec vero simile sit, ut rem tam necessariam ad Ecclesias unitatem continentiam Christus Dominus Apostolis suis non revelaret. —*Melch. Can. Loc. Theol. Lib. vi. cap. 8. [p. 212.] Neither is it likely that our Lord Christ would not have revealed to his Apostles a thing so necessary for preserving the unity of the Church.*

man's persuasion: they have, indeed, found the Pope in the first chapter of Genesis; for (if we believe Pope Innocent III.) he is one of the two great luminaries there<sup>b</sup>; and he is as plainly there, as anywhere else in the Bible.

Wherefore if upon this account we should reject this pretence, we might do it justly; and for so doing we have the allowance of the ancient Fathers; for they did not hold any man obliged to admit any point of doctrine, or rule of manners, which is not in express words, or in terms equivalent, contained in Holy Scripture; or which at least might not thence be deduced by clear and certain inference: this their manner of disputing with heretics and heterodox people doth shew; this appeareth by their way of defining and settling doctrines of faith; this they often do avow in plain words applicable to our case: for, *If, saith St Austin, about Christ, or about his Church, or about any other thing, which concerneth our faith and life, I will not say we, who are no wise comparable to him, who said, Although we; but even as he going on did add, If an angel from heaven should tell you*

*gelical Scriptures, let him be anathema!*: in these words we have St Austin's warrant, not to refuse, but to detest this doctrine, which is nowhere extant in Law or Gospel, is yet indeed on us, as nearly relating both to Christ his Church, as greatly concerning both our theory and practice.

To enforce this argument, we may consider the Evangelists do speak about the propagation, government, and continuance of our Lord's kingdom; the Apostles do often treat about the state of Church and its edification, order, peace, unity; of the distinction of its officers and members, of the qualifications, duties, graces, privileges of spiritual governors and guides; about prevention and remedy of heresies, schisms, disorders: upon all of which occasions how is it possible, that the institution of such a spiritual monarch (who was to have a main influence on each of those particulars) could wholly escape them, if they had known such a law instituted by God?

In the Levitical law all things concerning the Exod. xxviii. 1, 4.  
Levit. xxi. priest, not only his designation, succession, consecration, duty, power, maintenance, privileges, even his garments, marriage, mourning, &c. punctually determined and described: and it is not wonderful, that in the many descriptions of the new law no mention should be made

Prinde sive de Christo, sive de ejus Ecclesia, sive de quae alia re, quae pertinet ad fidem vitamque nostram, (vestram) licet nos, nequaquam comparandi ei qui dixit, *Licet si nos; munino quod sequutus adjecit, Si angelus de celo vobis annuntiet, præterquam quod in Scripturis legalibus ac evangelicis istis, anathema sit.*—Con. Petil. III. 6. [Opp. Tom. IX. col. 16.]

concerning any duty or privilege of its priest, whereby he might be directed in the ministration of his office, and know what observe to require?

3 Whereas also the Scripture doth incite duties of all sorts, and doth not forget frequently to press duties of respect and obedience to particular governors of the Church; is it strange, that it never should bestow one precept whereby we might be instructed and admonished to pay our duty to the universal pastor; especially considering, that God, who directed the pen of the Apostles, and who intended that their writings should continue for the perpetual instruction of Christians, did foresee how requisite such a precept would be to secure that duty? for if but one precept did appear, it would do the business, and void all contestation about it.

4 They who so carefully do exhort to honour and obey the temporal sovereignty, how then do they so wholly to wave urging the no less necessary obligations to obey the spiritual monarch? for they are so mindful of the Emperor, why are

.....

One might have expected something of that  
from St Paul himself, who did write so  
to the Romans, and so often from Rome;  
at least some word, or some intimation, should  
have dropped from him concerning these huge  
and privileges of this See, and of the regard  
to it. Particularly then, when he professedly  
enumerated the offices, instituted by God, for  
use and perpetual duration: *For the per-*  
*of the saints, for the work of the ministry,* Eph. iv. 11,  
*edifying of the body of Christ; till we all* <sup>12, 13.</sup> <sub>1 Cor. xii.</sub>  
*in the unity of faith, &c.* <sup>28.</sup>  
He commendeth them for their faith, which <sub>Rom. i. 8.</sub>  
is known of through the whole world<sup>1</sup>; yet giving

us; *Judicate cui potius resistendum sit, potestati, quam*  
*Deus Omnipotens ordinavit.*—Mans. Conc. Tom. xv.  
B.]

*IX. Ep. i. [Bin. Tom. vii. p. 240, c. 1 E.] [Nec contra*  
*murmur vestrum, sed contra Dominum, cuius ordinationi*  
*do, damnationem vobis acquiritis; cum nostra potestas,*  
*omnis, a nullo alio, nisi ab ipso sit.*—Mans. Conc. Tom.  
. 654. c. 1.]

them no advantage above others<sup>m</sup>; as St Chrysostom <sup>Rom. i. 5</sup> observeth on those words, *For obedience to the faith among all nations, among whom also are ye. This, saith St Chrysostom, he saith to depress their conceit, to void their haughtiness of mind, and to teach them, to deem others equal in dignity with them<sup>n</sup>.*

When he writeth to that Church, (which was some time after St Peter had settled the Popedom,) he doth only style them *κλητοὶ ἄγιοι, called saints,* and *ἀγαπητοὶ Θεοῦ, beloved of God<sup>o</sup>,* which are common adjuncts of all Christians; he saith, their faith was spoken of generally, but of the fame of their authority being so spread he taketh no notice; that their obedience had come abroad to all men, but their commands had not (it seemeth) come anywhere.

xvi. 19.

He wrote divers Epistles from Rome, wherein he resolveth many cases debated, yet never doth urge the authority of the Roman Church for any point, which now is so ponderous an argument.

7 But however, seeing the Scripture is so strangely reserved, how cometh it to pass that tradition is also so defective, and stanch in so grand a case? We have in divers of the Fathers (particularly in Tertullian<sup>p</sup>, in St Basil<sup>q</sup>, in St

<sup>m</sup> Οὐδὲν πλέον αὐτοῖς δίδωσι τῶν λοιπῶν ἐθνῶν.—[In Rom. Or. 1 Opp. Tom. III. p. 8.]

<sup>n</sup> Ταῦτα δὲ ποιεῖ καθαιρῶν αὐτῶν τὸ φρόνημα, καὶ κενῶν τὸ φίστη τῆς διανοίας, καὶ διδάσκων αὐτοὺς τὴν πρὸς τοὺς ἀλλοὺς ἴσοντιμίαν.—Id. Ibid.

<sup>o</sup> Vid. Chrys. Theodoret. Hier. in loco. Baron. Annal. Ecc. ann. LVIII. § 46, &c. [Tom. I. p. 506, et seqq.]

<sup>p</sup> De Cor. Mil. cap. III. [Opp. p. 102 A.] [Denique ut a Bep timate ingredior, aquam adituri, ibidem, sed et aliquanto prius

Jerome<sup>1</sup>) catalogues of traditional doctrines and observances, which they recite to assert tradition in some cases supplemental to Scripture; in which their purpose did require, that they should set down those of principal moment; and they are so punctual, as to insert many of small consideration: how then came they to neglect this, concerning the papal authority over the whole Church, which had been most pertinent to their design, and in consequence did vastly surpass all the rest which they do name?

8 The designation of the Roman Bishop by succession to obtain so high a degree in the

in Ecclesia sub antistitis manu contestamur nos renuntiare diabolo, et pompe, et angelis ejus. Dehinc ter mergitamur, amplius aliquid respondentes, quam Dominus in Evangelio determinavit. Inde suscepti, lactis et mellis concordiam prægustamus, exque ea die, lavacro quotidiano per totam hebdomadem abstinemus. Eucharistico sacramentum, et in tempore victus, et omnibus mandatum a Domino, etiam antelucanis cotibus, nec de aliorum manu quam præsidentium sumimus. Oblationes pro defunctis, pro natalitiis annua die facimus. Die Dominico jejunium nefas ducimus, vel de geniculis adorare. Eadem immunitate a die Pasche in Pentecosten usque gaudemus. Calicis aut panis etiam nostri aliquid decuti in terram anxi patimur. Ad omnem prægustum atque promotum, ad omnem aditum et exitum, ad calceatum, ad lavacra, ad mensas, ad lumina, ad cubilia, ad sedilia, quæcumque nos conversatio exerceat, frontem crucis signaculo terimus. Harum et aliarum ejusmodi disciplinarum si legem expostules Scripturarum, nullam invenies: traditio tibi prætendetur autrix, consuetudo confirmatrix, et fides observatrix.]

<sup>1</sup> De Sp. S. cap. xvii. [Opp. Tom. iii. p. 54.]

<sup>2</sup> Hier. adv. Lucif. [Opp. Tom. iv. P. ii. col. 294.] [Nam et multa alia quæ per traditionem in Ecclesiis observantur, auctoritatem sibi scriptæ legis usurpaverunt: velut in lavacro ter caput mergitare: deinde egressos, lactis et mellis prægustare concordiam, ad infantis significationem redire: Dominica, et omni Pentecoste, nec de geniculis adorare, et jejunium solvere; multaque alia scripta non sunt, quæ rationabilis sibi observatio vindicavit. Ex quo anadvertis nos Ecclesiæ consuetudinem sequi—.]

Church, being above all others a most remarkable and noble piece of history, which it had been a horrible fault in an ecclesiastical history to slip over, without careful reporting and reflecting upon it; yet Eusebius, that most diligent compiler of all passages relating to the original constitution of the Church, and to all transactions therein, hath not one word about it! who yet studiously doth report the successions of the Roman Bishops, and all the notable occurrences he knew concerning them, with favourable advantage.

9 Whereas this doctrine is pretended to be a point of faith, of vast consequence to the subsistence of the Church and to the salvation of men, it is somewhat strange, that it should not be inserted into any one ancient summary of things to be believed, (of which summaries divers remain<sup>8</sup>, some composed by public consent, others by persons of eminency in the Church,) nor by fair and forcible consequence should be deducible from any article in them; especially considering, that such summaries were framed upon occasion of heresies springing up which disregarded the Pope's authority, and which by asserting it were plainly confuted. We are therefore beholden to Pope Innocent III. and his Lateran Synod<sup>9</sup>, for first synodically defining

<sup>8</sup> Const. Apost. vii. 41. [Cotel. Pat. Apost. Tom. i. 579.] (a full Creed, at baptism.)

<sup>9</sup> Conc. Lat. iv. an. 1215. [Capit. v. *De Dignit. Patriarch.* Antiqua Patriarchalium Sedium privilegia renovantes, sacra universalis Synodo approbante, sancimus ut post Romanam Ecclesiam, que disponente Domino super omnes alias ordinariis potestatis obtinet principatum, utpote mater universorum Christi fidelium et magistra, Constantinopolitana primum, Alexandrina secundum, Antiochena tertium, Hierosolymitana quartum locum obtinet.

this point, together with other points no less new and unheard of before. The Creed of Pope Pius IV. formed the other day, is the first, as I take it, which did contain this article of faith.

10 It is much that this point of faith should not be delivered in any of those ancient expositions of the Creed (made by St Austin, Ruffin, &c.) which enlarge it to necessary points of doctrine connected with the articles therein, especially with that of the Catholic Church, to which the Pope's authority hath so close a connexion; that it should not be touched in the catechetical discourses of Cyril, Ambrose, &c.; that in the Systems of Divinity composed by St Austin, Lactantius, &c., it should not be treated on: the world is now changed; for the Catechism of Trent doth not overlook so material a point; and it would pass for a lame body of Theology which should omit to treat on this subject.

11 It is more wonderful, that this point should never be defined, in downright and full terms, by any ancient Synod; it being so notoriously in those old times opposed by divers who dissented in opinion, and discorded in practice from the Pope; it being also a point of that consequence, that such a solemn declaration of it would have much conduced to the ruin of all particular errors and schisms, which were maintained then in opposition to the Church.

12 Indeed, had this point been allowed by the main body of orthodox Bishops, the Pope could not

*servata cuilibet propria dignitate; ita postquam eorum antistes a Romano Pontifice receperit pallium, quod est plenitudinis officii pontificalis insigne——. —Mans. Conc. Tom. xxx. p. 990.]*

have been so drowsy or stupid, as not to have solicited for such a definition thereof; nor would the Bishops have been backward in compliance thereto; it being, in our adversaries' conceit, so compendious and effectual a way of suppressing all heresies, schisms, and disorders; (although, indeed, later experience hath shewed it no less available to stifle truth, justice, and piety:) the Popes after Luther were better advised, and so were the Bishops adhering to his opinions.

13 Whereas also it is most apparent, that many persons disclaimed this authority, not regarding either the doctrines or decrees of the Popes; it is wonderful that such men should not be reckoned in the large catalogues of heretics, wherein errors of less obvious consideration, and of far less importance, did place men; if Epiphanius, Theodore, Leontius, &c. were so negligent or unconcerned, yet St Austin, Philastrius,—western men, should not have overlooked this sort of desperate heretics: Aërius, for questioning the dignity of Bishops, is set among the heretics; but who got that name for disavowing the Pope's supremacy, among the many who did it? (it is but lately, that such as we have been thrust in among heretics).

14 Whereas no point avowed by Christians could be so apt to raise offence and jealousy in Pagans against our Religion as this, which setteth up a power of so vast extent and huge influence; whereas no novelty could be more surprising or startling, than the erection of an universal Empire over the consciences and religious practices of men; whereas also this doctrine could not but be very conspicuous and glaring in ordinary practice; it is

prodigious, that all Pagans should not loudly exclaim against it.

It is strange, that Pagan Historians (such as **Marcellinus**, who often speaketh of Popes, and blameth them for their luxurious way of living and pompous garb<sup>u</sup>; as **Zosimus**, who bore a great spite at Christianity; as all the writers of the imperial history before Constantine) should not report it, as a very strange pretence newly started up.

It is wonderful, that the eager adversaries of our Religion (such as **Celsus**, **Porphyry**, **Hierocles**, **Julian himself**) should not particularly level their discourse against it, as a most scandalous position and dangerous pretence, threatening the government of the Empire.

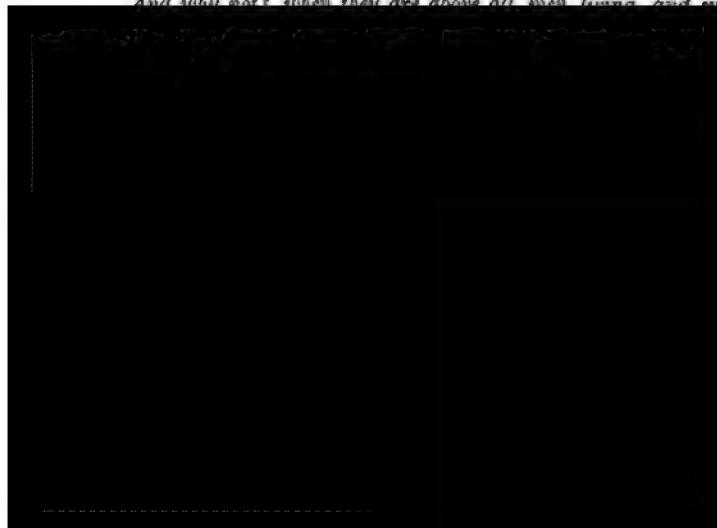
It is admirable, that the Emperors themselves, inflamed with emulation and suspicion of such an authority, (the which hath been so terrible even to Christian princes,) should not in their edicts expressly decry and impugn it; that, indeed, every one of them should not with extrekest violence implacably strive to extirpate it.

In consequence of these things it may also seem strange, that none of the advocates of our faith (**Justin**, **Origen**, **Tertullian**, **Arnobius**, **Cyril**, **Austin**) should be put to defend it, or so much as forced to mention it, in their elaborate *Apologies* for the doctrines and practices which were reprehended by any sort of adversaries thereto.

<sup>u</sup> —— *procedantque vehiculis insidentes, circumspecte vestiti, epulas curantes profusas, adeo ut eorum convivia regales superent mensas.*—Lib. xxvii. p. 338. *They travel sitting in chariots, curiously appareled, procuring profuse dainties, insomuch as their meals exceed the feasts of kings.*

We may add, that divers of them in Apologies<sup>x</sup> and representations concerning tianity would have appeared not to deal fairly have been very inconsiderate, when they prof their common belief assertions repugnant to doctrine; as when Tertullian saith: *We rever the Emperor as a man second to God, and less than God*<sup>y</sup>; when Optatus affirmeth, that *Above the Emperor there is none beside God, who makes the Emperor*<sup>z</sup>; and, that *Donatus by extolling himself (as some now do) above the Emperor, did exceed, as it were, the bounds of me*<sup>a</sup>; *he did esteem himself as God, not as a man*<sup>b</sup>: St Chrysostom asserteth *The Emperor to be the crown and head of all men upon earth*<sup>b</sup>: and *That even Apostles, Evangelists, Prophets, and whatsoever*<sup>c</sup>, are to be subject to the temporal po

<sup>x</sup> *Sentient enim Deum esse solum, in cuius solius presunt, a quo sunt (Imperatores) secundi, post quem primi omnes et super omnes deos. Quidni? cum super omnes habent utique vivunt, et mortuis antistant.*—Tertull. *Apologeticus* [Opp. p. 17 A.] *For they think it is God alone in whose power are, next to whom they are the chief, before all, and above all, and above every man.*



1 St Cyril calleth the Emperor *The supreme if glory among men, elevated above all others comparable differences*<sup>d</sup>, &c.: when even Popes at this rate; as Pope Gregory I. calling the Emperor his Lord, and lord of all<sup>e</sup>; telling the Emperor, that his competitor, by assuming the title Universal Bishop, did set himself above the honour of his imperial majesty<sup>f</sup>; which he supposeth to be of great absurdity and arrogance: and even Pope Gregory II. doth call that Emperor (against whom he afterward rebelled) *The King and head of Christians*<sup>g</sup>. Whereas, indeed, if the Pope be patriarch of the Church, endowed with the attributes which they now ascribe to him, it is plain enough that he is not inferior to any man living in real power and dignity: wherefore the modern pontiffs of Rome are far more sincere or considerate in their heraldry, than were those old Fathers of the West; who now stick not downrightly to call the Pope before all princes of the world;

Τῆς μὲν ἐν ἀνθρώποις εὐκλείας τὸ ἀνώτατον, καὶ ἀσυγκρίτοις ἡραὶ τῶν ἀλλων ἀπάντων ἀνεστηκός τε καὶ ὑπερκείμενον, ὑμεῖς, ὁ κριτος βασιλεῖς, καὶ κλῆρος ὑμῶν ἔξαιρετος τε καὶ πρέπων παρὰ τῆς ἐνόσης αὐτῷ κατὰ πάντων ὑπεροχῆς.—Cyril. ad Theod. in 1. Eph. Part 1. cap. 3. [Bin. Tom. II. p. 20 c.] [Mans. Conc. IV. col. 617 B.]

1 Quia, serenissime Domine, ex illo jam tempore Dominus subsuisti, quando adhuc Dominus omnium non eras.—Ep. III. 65. [Bin. Tom. II. p. 675 B.]

Ego quidem iussioni subjectus —.—Ibid. [p. 677 B.]

Ad hoc enim potestas dominorum meorum pietati cœlitus data super omnes homines, &c.—[Ibid. p. 676 A.]

Ego indignus famulus vester.—Ibid. [p. 676 c.]

1 Qui honori quoque imperii vestri so per privatum vocabulum trponit.—Ep. V. 20. [p. 749 B.]

1 Οὐς Βασιλεὺς καὶ κεφαλὴ τῶν Χριστιανῶν.—P. Greg. II. in 1. ad Leon. Isaur. Conc. Nic. II. [Bin. Tom. V. p. 502 A.] [M. Conc. Tom. XII. col. 959 E.]

not only in doctrine and notion, but in the sacred offices of the Church<sup>b</sup>: for in the very Canon of their Mass, the Pope (together with the Bishop of the Diocese, one of his ministers) is set before all Christian princes; every Christian subject being thereby taught to deem the Pope superior to his prince.

Now we must believe (for one Pope hath written it, another hath put it in his Decretals<sup>1</sup>, and it is current law) that the papal authority doth no less surpass the royal, than the sun doth outshine the moon. Now it is abundantly declared by papal definition, as a point necessary to salvation, that every human creature (neither king nor Caesar excepted) is subject to the Roman high priest. Now the mystery is discovered, why Popes when summoned by Emperors, declined to go in person to general Synods; because *It was not tolerable that the Emperor (who sometime would be present in Synods) should sit above the Pope*;

<sup>b</sup> —— una cum famulo tuo Papa nostro N. et antistite nostro N. et Rege nostro N. et omnibus orthodoxis, &c. *Together with*

in the pride of his heart he might perhaps offer do. (I cannot forbear to note what an ill content Bellarmine<sup>m</sup> had of Leo I. and other Popes, at they did forbear coming at Synods out of their villanous pride and haughtiness.)

15 One would admire, that Constantine, if he had smelt this doctrine, or anything like it in Christianity, should be so ready to embrace it; or that so many Emperors should in those times do; some princes then probably being jealous of their honour, and unwilling to admit any superior to them.

It is at least much, that Emperors should with much indulgence foster and cherish Popes, being their so dangerous rivals for dignity; and that it should be true, which Pope Nicholas doth affirm, that the Emperors had extolled the Roman See with divers privileges, had enriched it with gifts, and enlarged it with benefits<sup>n</sup>; had done I know not how many things more for it: surely they were bewitched thus to advance their concurrent competitor for honour and power; one who pretended to be a better man than themselves. Bellarmine<sup>o</sup> (in his Apology against King James) saith, that *The Pope was (vellet, nollet) constrained to be*

*Concilio sedeant ante alios Episcopos, tamen nullo modo convenit, ut ante ipsum summum Pontificem, &c.—Bell. de Conc. i. 19. [§ 5.]*

<sup>m</sup> [Ibid. §§ 2, 3.]

<sup>n</sup> Quapropter attendat clementia vestra; quantus fuerit erga Sedis Apostolicae reverentiam antecessorum vestrorum, piorum duxit atque Imperatorum——amor, et studium; qualiter eam diversis privilegiis extulerint, donis ditaverint, beneficiis ampliaverint; Qualiter eam literis suis honoraverint, ejus votis annuerint, &c.—P. Nich. I. Epist. viii. ad Mich. Imp. [Bin. Tom. vi. p. 513, c. 1 e.] [Man. Conc. Tom. xv. col. 213 d.]

<sup>o</sup> Apol. Bell. p. 202.

*subject to the Emperors, because his power was not known to them; it was well it was not: but how could it be concealed from them, if it were a doctrine commonly avowed by Christians? it is hard keeping so practical a doctrine from breaking forth into light. But to leave this consideration.*

Furthermore, we have divers ancient writings, the special nature, matter, scope whereof did require, or greatly invite giving attestation to this power, if such an one had been known and allowed in those times; which yet do afford no countenance, but rather much prejudice thereto.

16 The Apostolical Canons, and the Constitutions of Clement, which describe the state of the Church, with its laws, customs, and practices current in the times of those who compiled them, (which times are not certain, but ancient, and the less ancient the more it is to our purpose,) wherein especially the ranks, duties, and privileges of all ecclesiastical persons are declared or prescribed, do not yet touch the prerogatives of this universal head, or the special respects due to him, nor men-

*r extraordinary) without his advice<sup>P</sup>; as also that each one (of those head Bishops) should only eddle with those affairs which concerned his own *eccl<sup>is</sup>ecinct*, and the places under it: also, that *No* *ch Primate* should do anything without the opinion *all*; that so there may be concord. Now what else could be more opportune to mention the Pope's sovereign power? How could the Canonist without strange neglect pass it over? Doth he not, indeed, exclude it, assigning the supreme disposal (without further resort) of all things to the arbitration of the whole body of pastors, and placing the maintenance of concord in that course?*

17 So also the old writer, under the name of Dionysius the Areopagite, treating in several places about the degrees of the Ecclesiastical Hierarchy, was monstrously overseen in omitting the sovereign thereof: in the fifth chapter of his Ecclesiastical Hierarchy he professeth carefully to speak of those orders<sup>q</sup>, but hath not a word of this supereminent rank, but averreth Episcopacy to be the first and highest of Divine orders, in which the Hierarchy is consummated<sup>r</sup>: and in his Epistle to Demophilus there is a remarkable place, wherein

<sup>P</sup> Τοὺς ἐπισκόπους ἑκάστου ἔθνους εἰδίναι χρὴ τὸν ἐν αὐτοῖς πρῶτον, οὐκ ἡγίσθαι αὐτὸν ὡς κεφαλὴν, καὶ μηδέν τι πράττειν περιττὸν ἀνεν τῆς ἴων γνώμης· ἐκεῖνα δὲ μόνα πράττειν ἑκαστον, ὅσα τῇ αὐτοῦ παροκιά φάλλει, καὶ ταῖς ὑπ' αὐτὴν χώραις. ἀλλὰ μηδὲ ἐκεῖνος ἀνεν τῆς ἴωτα γνώμης ποιεῖτω τι. οὐτω γὰρ ὅμονοια ἔσται.—Apost. Can. LIV. (XXVII.) [Cotel. Pat. Apost. Tom. I. p. 442.]

<sup>q</sup> Ἐπειδὴ τὰς ἱερατικὰς τάξεις καὶ ἀποπληρώσεις, δυνάμεις τε αὐτῶν οὐκ ἴνεργειας εἰρήκαμεν, ὡς ἡμῖν ἐφικτόν.—De Eccl. Hier. cap. v. 7, Opp. Tom. I. p. 311 D.]

<sup>r</sup> Ἡ θεία τῶν ἱεραρχῶν τάξις, πρότη μὲν ἔστι τῶν θεοπτικῶν τάξεων, πρότη δὲ καὶ ἐσχάτη πάλιν ἡ αὐτή· καὶ γὰρ εἰς αὐτὴν ἀποτελεῖται καὶ ποπληροῦται τάσσα τῆς καθ' ἡμᾶς ἱεραρχίας ἡ διακόσμησις.—Ibid. [§ 5. pp. Tom. I. p. 308 A.]

he could hardly have avoided touching the Pope; had there been then one in such vogue as now: for advising that monk to gentleness and observance toward his superiors, he thus speaketh: *Let passion and reason be governed by you; but you by the holy Deacons, and these by the Priests, and the Priests by the Bishops, and the Bishops by the Apostles, or by their successors*<sup>5</sup>; (that is, saith Maximus<sup>4</sup>, *Those which we now call Patriarchs*;) and if perhaps any one of them shall fail of his duty, let him be corrected by those holy persons who are coordinate to him. Why not in this case let him be corrected by the Pope, his superior? But he knew none of an order superior to the Apostles' successors.

18 Likewise, Ignatius in many Epistles frequently describeth the several ranks of the Ecclesiastical Hierarchy, extolleth their dignity and authority to the highest pitch, mightily urgeth the respect due to them, yet never doth he so much as mention or touch this sovereign degree, wherein the majesty of the clergy did chiefly shine. In his very Enistle to the Romans he doth not yield

of Antioch he had a pique to his brother Jacob, who had supplanted him, and got away his birth-right?

The counterfeiter therefore of Ignatius did well personate him, when he saith, that in the Church there is nothing greater than a Bishop<sup>u</sup>; and that a Bishop is beyond all rule and authority<sup>x</sup>; for in the time of Ignatius there was no domineering Pope over all Bishops.

19 We have some letters of Popes, (though not many; for Popes were then not very scribacious, or not so pragmatical; whence, to supply that defect, lest Popes should seem not able to write, or to have slept almost four hundred years, they have forged divers for them, and those so wise ones, that we who love the memory of those good Popes disdain to acknowledge them authors of such idle stuff; we have yet some letters of,) and to Popes, to and from divers eminent persons in the Church, wherein the former do not assume, nor the latter ascribe any such power; the Popes do not express themselves like sovereigns, nor the Bishops address themselves like subjects; but they treat one another in a familiar way, like brethren and equals: this is so true, that it is a good mark of a spurious epistle, (whereof we have good store, devised by colloquing knaves, and fathered on the first Popes,) when any of them talketh in an impious strain, or arrogateth such a power to himself.

<sup>u</sup> Οὐτε Θεοῦ τις κρείττων, ἢ παραπλήσιος ἐν πᾶσι τοῖς οὐσιν· οὐτε δὲ ἐν ἐκκλησίᾳ ἐπισκόπου τι μείζον.—Pseud. Ignat. ad Smyrn. Patr. Cotel. Pat. Apost. [Tom. II. p. 91.]

<sup>x</sup> Τί γάρ ἔστιν ἐπίσκοπος, ἀλλ' ἡ πάσης ἀρχῆς καὶ ἔξουσίας ἐπέκεινα; &c.—Id. ad Trall. [p. 66.]

20 Clemens, Bishop of Rome, in the Apo-  
lical times unto the Church of Corinth, then  
gaged in discords and factions, wherein the cle-  
was much affronted, (divers presbyters, who  
well and worthily behaved themselves, were ejected  
from their office in a seditious manner<sup>1</sup>,) did w  
a very large Epistle; wherein like a good Bish  
and charitable Christian brother, he doth earne  
by manifold inducements persuade them to cha-  
and peace<sup>2</sup>; but nowhere doth he speak imperious  
like their prince: in such a case one would thi-  
if ever, for quashing such disorders and quell-  
so perverse folks<sup>3</sup>, who spurned the clergy, it h  
been decent, it had been expedient, to employ  
authority, and to speak like himself, challeng-  
obedience, upon duty to him, and at their pe-  
How would a modern Pope have ranted in suc-  
case; how thundering a Bull would he have  
spatched against such outrageous contemners  
the ecclesiastical order? how often would he h  
spoken of the Apostolic See and its authori-  
We should infallibly have heard him swagger



*s Peter and Paul<sup>b</sup>.* But our Popes, it seemeth, 're more wit or better mettle than Pope Clement; t good Pope did not know his own strength, or l not the heart to use it.

21 Among the Epistles of St Cyprian there : divers Epistles of him to several Popes<sup>c</sup>, (to rnelius, to Lucius, to Stephanus,) in the which, hough written with great kindness and respect, t no impartial eye can discern any special regard them, as to his superiors in power, or pastors doctrine, or judges of practice<sup>d</sup>; he reporteth itters to them, he conferreth about points with freedom; he speaketh his sense and giveth his vice without any restraint or awe; he spareth t upon occasion to reprove their practices, and to ect their opinions; he in his addresses to them d discourses of them styleth them brethren and leagues; and he continually treateth them as h, upon even terms: *When, saith he to the clergy Rome, dearest brethren, there was among us an certain rumour concerning the decease of the d man my colleague, Fabianus<sup>e</sup>:* upon which

<sup>b</sup> *Si quis voluntati nostræ contraire præsumpserit, indignam omnipotentis Dei, ac beatorum Petri et Pauli Apostoli lovetur incursum.* In such terms usually the Pope's Bulls end.

<sup>c</sup> Cyr. Epp. xli. xlii. xliii. xliv. xlvi. xlvi. lvi. lv. lvii. l. lxvii. lxxii.

<sup>d</sup> *Et quamquam sciam, frater carissime, pro mutua dilectione, n debemus et exhibemus invicem nobis, florentissimo illic tecum præsidenti, &c.—Ep. lv. [Opp. p. 89.] And although now, most dear brother, out of the mutual love and respect which we and yield one to another, &c.*

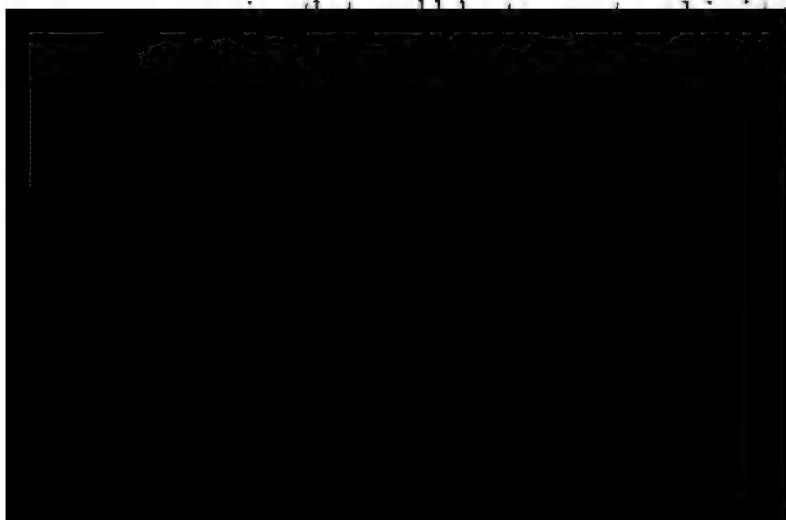
*Cum do excessu boni viri collegæ mei, rumor apud nos incertus , fratres carissimi——.—Ep. iii. [Opp. p. 8.]*

words Rigaltius<sup>f</sup> had cause to remark: *How an equal and fellow-citizen doth the Bishop Carthage mention the Bishop of Rome, even to Roman clergy!* But would not any man now deemed rude and saucy, who should talk in this style of the Pope?

Pope Cornelius<sup>g</sup> also to St Cyprian hath six Epistles, wherein no glimpse doth appear of superiority assumed by him. But of St Cyprian's judgment and demeanour toward Popes we shall have occasion to speak more largely, in a way more positively opposite to the Roman pretences.

Eusebius citeth divers long passages out of Epistle of Cornelius to Fabius, Bishop of Antioch, against Novatus<sup>h</sup>; wherein no mark of this premacy doth appear; although the magnitudo and flourishing state of the Roman Church described, for aggravation of Novatus's schism and ambition.

Pope Julius hath a notable long Epistle, extant in one of Athanasius's Apologies<sup>i</sup>, unto the Bishops assembled at Antioch; wherein he had the fai-



bout which point he thought good not to contend with them; but waving pretences to superiority, i.e. justifieth his actions by reasons grounded on the merit of the cause, such as any other Bishop might allege: but this Epistle I shall have more particular occasion to discuss.

Pope Liberius hath an Epistle to St Athanasius, wherein he not only (for his direction and satisfaction) doth inquire his opinion about the point; but professeth, in compliment perchance, that he shall obediently follow it: *Write, saith he, whether you do think as we do, and just so, about the true faith; that I may be undoubtedly assured about what you think good to command me<sup>k</sup>.* Was not that spoken, indeed, like a courteous sovereign, and an accomplished judge in matters of faith? The same Pope in the head of the western, doth write to a knot of eastern Bishops, whom they call their beloved brethren and fellow-ministers<sup>l</sup> and in a brotherly strain, not like an Emperor.

In the time of Damasus, successor to Liberius, St Basil hath divers Epistles to the western Bishops<sup>m</sup>, wherein, having represented and bewailed the wretched state of the eastern Churches, then overborne with heresies, and unsettled by factions, he craveth their charity, their prayers, their sympathy, their comfort, their brotherly

<sup>k</sup> Γράψον μοι, εἰ οὕτω φρονεῖς καθό καὶ ἡμεῖς, καὶ τὰ ἵστα ἐν ἀληθινῇ ιστε. ἵνα κἀγώ πεποιθώ ὡς, ἀδιακρίτως περὶ ὧν ἀξιοῖς κελεύειν μοι.—Liber. ad Ath. [Opp. Tom. II. p. 665 c. Spurious.]

<sup>l</sup> Socr. IV. 12. [Τοῖς ἀγαπητοῖς ἀδελφοῖς καὶ συλλειτουργοῖς—τῶσι τοῖς ἐν τῇ ἀνατολῇ ἐπισκόποις Λιβύεριος ἐπίσκοπος Ἰταλίας, καὶ οἱ κατὰ τὴν δύσιν ἐπίσκοποι, &c.]

<sup>m</sup> Epp. xc. xci. ccxliii. cclxiii. ccxlvi.

aid<sup>n</sup>; by affording to the orthodox and sound party the countenance of their communion, by joining with them in contention for truth and peace; for that the communion of so great Churches would be of mighty weight to support and strengthen their cause; giving credit thereto among the people and inducing the Emperor to deal fairly with them, in respect to such a multitude of adherents, especially of those which were at such a distance, and not so immediately subject to the eastern Emperor; for, *If*, saith he, *very many of you do concur unanimously in the same opinion, it is manifest that the multitude of consenters will make the doctrine to be received without contradiction*: and, *I know*, saith he again, writing to Athanasius about these matters, *but one way of redress to our Churches, the conspiring with us of the western*

<sup>n</sup> Ὅμως παρακαλοῦμεν συμπαθῆσαι ἡμῶν ταῖς διαιρέσεσι.—Ερ. Ι. [Opp. Tom. III. p. 181 ε.] *We beseech you to have a fellow-feeling of our distractions.*

Εἴ τι οὖν παραμύθιον ἀγάπης, εἴ τις κοινωνία πνεύματος, εἴ τις σπλάγχνα οἰκτιρμῶν κινήθητε πρὸς τὴν ἀντίδηψιν ἡμῶν. — Ibid. Γρ. 182 π. 1. *If there be any comfort of love, any fellowship of the*

; the which being obtained, *would pro-  
ield some advantage to the public, the  
power revering the credibility of the mul-  
tind the people all about following them  
repugnance*<sup>9</sup>: and, *You, saith he to the  
Bishops, the further you dwell from them,  
credible you will be to the people*<sup>10</sup>.

, indeed, was according to the ancient rule  
tice in such cases, that any Church being  
d with error, or distracted with contentions,  
rom the Bishops of other Churches receive  
he removal of those inconveniences. That  
he rule doth appear from what we have  
poken; and of the practice there be many  
s: for so did St Cyprian send two of his  
Rome, to compose the schism there, moved  
itian against Cornelius<sup>11</sup>; so was St Chry-  
alled to Ephesus, (although out of his juris-

ἐπιγρόν ὁδὸν βοηθείας ταῖς καθ' ἡμάς ἐκλησίαις, τὴν παρὰ  
ἐπισκόπων σύμπνοιαν.—Ep. LXVI. [Tom. III. p. 159 A.]

ἄν τι γένοιτο τοῖς κοινοῖς ὄφελος, τῶν τε κρατούντων τὸ  
τοῦ πλήθους δυσωπουμένων, καὶ τῶν ἐκασταχοῦ λαῶν ἀκολο-  
τοῖς ἀναντιρρήτως.—Ibid.

· δὲ δον μακρὰν αὐτῶν ἀποφιεσμένοι τυγχάνετε, τοσούτη  
· τοῖς λαοῖς τὸ ἀξιόπιστον ἔχετε.—Ep. CCLXIII. [Tom. III.

I servis Dei, et maxime sacerdotibus justis et pacificis  
t, frater carissime, miseramus nuper collegas nostros  
et Fortunatum, ut non tantum persuasione literarum  
sed presentia sua, et consilio omnium vestrum enite-  
antum possent, et elaborarent, ut ad Catholicæ Ecclesiæ  
scissæ corporis membra componeret —.—Cypr. Ep.  
ornel. [Opp. p. 56.] *As it became the servants of God,  
righteous and peaceable priests, most dear brother, we lately  
allieagues Cudonius and Fortunatus, that they might, not  
persuasion of our letters, but also by their presence, and  
of you all, endeavour to their utmost and strive to reduce  
of that divided body to the unity of the Catholic Church.*

diction,) to settle things there; so (to omit divers instances occurring in history) St Basil himself was called by the Church of Iconium, to visit it, and to give it a Bishop<sup>t</sup>; although it did not belong to his ordinary inspection; and he doth tell the *Bishops of the Coasts*, that they should have done well in sending some to visit and assist his Churches in their distresses<sup>u</sup>.

But now how, I pray, cometh it to pass, that in such a case he should not have a special recourse to the Pope; but in so many addresses should only wrap him up in a community? Why should he not humbly petition him to exert his sovereign authority for the relief of the eastern Churches, laying his charge, and inflicting censures on the dissenters? Why should he lay all the stress of his hopes on the consent of the western Bishops? Why doth he not say a word of the dominion resident in them over all the Church? These things are unconceivable, if he did take the Pope to be the man our adversaries say he is.

But St Basil had other notions<sup>x</sup>: for indeed, being so wise and good a man, if he had taken

the Bishop of Rome's rejecting that excellent person, Meletius, Bishop of Antioch;) *What we wuld write, or how to join with those that write, im in doubt—for I am apt to say that of Diomedes, You ought not to request, for he is a haughty man; for in truth observance doth render men of proud manners more contemptuous than otherwise they are. For if the Lord be propitious to us, what ier addition do we need? but if the anger of God continue, what help can we have from the western perniciousness? who in truth neither know, nor dure to learn; but being prepossessed with false spicions, do now do those things which they did afore in the cause of Marcellus; affecting to cond with those who report the truth to them; and establishing heresy by themselves*<sup>1</sup>. Would that excellent person (the greatest man of his time in reputation for wisdom and piety) have thus, bowelling his mind in an Epistle to a very eminent Bishop, smartly reflected on the qualities and proceedings of the western clergy, charging them with pride and haughtiness, with a suspicious and contentious humour, with incorrigible ignorance, and indisposition to learn; if he had taken him, who was the leader in all these matters, to

<sup>1</sup> Τίνα οὖν δεῖ ἐπιστεῖλαι δι' αὐτῶν, ἡ τοῖς ἐπιστέλλουσι πᾶς συνθέτει, αὐτὸς μὲν ἀπορῶ.——έμοι μὲν γὰρ τὸ τοῦ Διομήδους ἐπέρχεται τενν. μὴ δῆλος λίσσεοθα. διότι, φησιν, ἀγήνωρ ἐστὶν δ ἀνήρ· τῷ γὰρ θεραπευόμενα τὰ ὑπερῆφανα ἡθη, ἐαυτῶν ὑπεροπτικώτερα γίνεται πέφυκε. καὶ γὰρ ἐάν μὲν ἰλασθῇ ἡμῖν δ Κύριος, ποίας ἐτέρας οὐθίκης δεύμεθα; ἐάν δὲ ἐπιμεινῇ ἡ ὄργη τοῦ Θεοῦ, ποία βοήθεια ἡμῖν διτικῆς δύρνος; οἱ τὸ ἀληθὲς οὖτε ἵσασιν οὔτε μαθεῖν ἀνέχονται, οὐδέσι δὲ ὑπονοίαις προειλημμένοι, ἐκεῖνα ποιοῦσι νῦν, ἢ πρότερον ἐπὶ ρικέλλη· πρὸς μὲν τοὺς τὴν ἀλήθειαν αὐτοῖς ἀπαγγέλλοντας φιλονειταῖς· τὴν δὲ αἴρεσσιν δι' ἐαυτῶν βεβαιώσαντες. ——*Ep. ccxxxix.*  
ομ. III. p. 368 C.]

have been his superior and sovereign? Would he have added the following words, immediately touching him: *I would in the common name have written to their ringleader, nothing, indeed, about ecclesiastical affairs, except only to intimate, that they neither do know the truth of things with us, nor do admit the way by which they may understand it; but in general about their being bound not to sit upon those who were humbled with afflictions; nor should judge themselves dignified by pride, a sin which alone sufficeth to make one God's enemy!* Surely this great man knew better what belonged to government and manners, than in such rude terms to accost his sovereign: nor would he have given him that character, which he doth elsewhere: where speaking of his brother, St Gregory Nyssen, he saith he was an unfit agent to Rome, because *Although his address with a sober man would find much reverence and esteem; yet to a haughty and reserved man, sitting I know not where above, and thence not able to hear those below speaking the truth to him, what profit can there be to the world from the number of such*

ich St Basil (as Baronius, I know not whence, porteth) expressed by saying, *I hate the pride of it Church*; which humour in them that good manuld not be guilty of fostering by too much obseiousness.

St Chrysostom, having by the practices of vious men combined against him, in a packed sembly of Bishops, upon vain surmises, been ntenced and driven from his See, did thereupon rite an Epistle to Pope Innocent I. Bishop of ome<sup>b</sup>, together with his brethren the Bishops of italy; therein representing his case, complaining f the wrong, vindicating his innocence, displaying e iniquity of the proceedings against him, together with the mischievous consequences of them toward the whole Church, then requiring his succour r redress: yet (although the sense of his case, nd care of his interest, were likely to suggest the reatest deference that could be) neither the style, hich is very respectful, nor the matter, which is ery copious, do imply any acknowledgment of the ope's supremacy: he doth not address to him as a governor of all, who could by his authority mmand justice to be done, but as to a brother, d a friend of innocence, from whose endeavour might procure relief; he had recourse, not to sovereign power, but to his brotherly love<sup>c</sup>; he formed his charity<sup>d</sup>, not appealed to his bar; he

κτο ὅφελος τοῖς κοινοῖς, παρὰ τῆς τοῦ τοιούτου ἀνδρὸς ὁμιλίας, δε δτριον ἔχει θωπείας ἀνελευθέρου τὸ θέος;—Ep. CCXV. [Tom. III. 323 D.]

<sup>b</sup> Epist. CXII. Opp. Tom. VII. Vid. Laun. Epist. I. 3. [pp. 14—17.]

<sup>c</sup> Πρὸς τὴν ὑμετέραν ἀναθραμεῖν ἀγάπην.—p. 154.

<sup>d</sup> Διδάξομεν ὑμῶν τὴν ἀγάπην.—Ibid.

in short did no more than implore his assent in an ecclesiastical way; that he would express his resentment of so irregular dealings; that he would avow communion with him, as with an ordinary Bishop innocent and abused; that he would cure his cause to be brought to a fair trial before the Synod of Bishops, lawfully called and indifferent. Had the good man had any concern in the Pope's supremacy, he would, one would have framed his address in other terms, and for another course of proceeding in his behalf. It is plain enough, that he had no such notion of things, nor had any ground for such a one. Indeed, Pope Innocent, in his answer to him, did no more than exhort him to patience; and other, to his clergy and people, could only command them, declare his dislike of the adversaries proceedings and grounds; signify his intention to procure a general Synod, with hopes of a general concord; and thence; his sovereign power, it seems, not averse to any such purposes; *But what, saith he, do in such cases? A Synodical cognizance is necessary, which we heretofore did say ought*

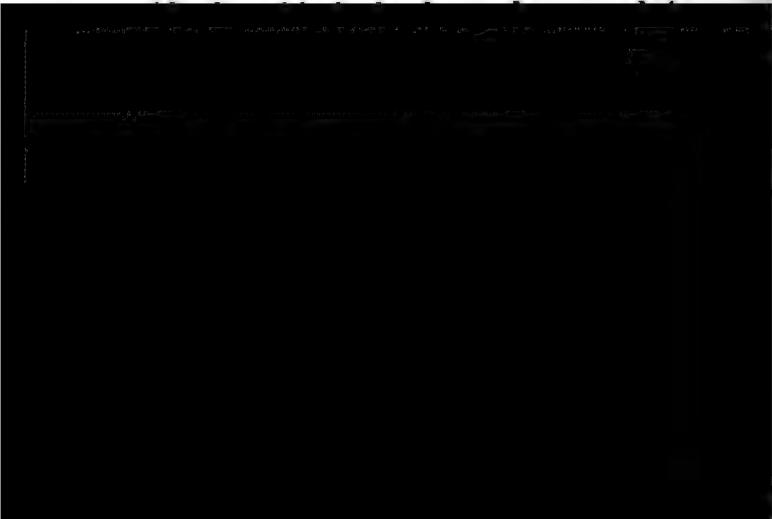
It is true, that the later Popes, (Siricius, Anastasius, Innocent, Zosimus, Bonifacius, Celestinus, &c.) after the Sardican Council, in their Epistles to the western Bishops, over whom they had encroached, and who were overpowered by them, &c. do speak in somewhat more lofty strain ; but are more modest toward those of the east, who could not bear, &c.

22 Further; It is most prodigious, that in the disputes managed by the Fathers against heretics, (the Gnostics, Valentinians, Marcionites, Montanists, Manichees, Paulianists, Arians, &c.) they should not, even in the first place, allege and urge the sentence of the universal pastor and judge, as a most evidently conclusive argument, as the most efficacious and compendious method of convincing and silencing them. Had this point been well proved and pressed, then, without any more concertations from Scripture, tradition, reason, all heretics had been quite defeated ; and nothing then could more easily have been proved, if it had been true, when the light of tradition did shine so brightly ; nothing, indeed, had been to sense more conspicuous than the continual exercise of such an authority. We see now among those who admit such an authority, how surely, when it may be had, it is alleged, and what sway it hath, to the determination of any controversy : and so it would have been then, if it had been then as commonly known and avowed.

23 Whereas divers of the Fathers purposely to treat on methods of confuting heretics, it is

*καὶ οὐτιν, οὗτοι δύναται τὰς κυρήσεις τῶν τοιούτων καταστεῖλαι καταγύιδων*  
—Ibid. p. 361.

strange they should be so blind or dull, as not to hit on this most proper and obvious way of referring debates to the decision of him to whom the office of universal pastor and judge it did belong; particularly one would wonder at Vincentius Linnensis; that he on set purpose, with great care, discoursing about the means of settling points of faith, and of overthrowing heresies, should not light upon this notable way, by having recourse to the Pope's magisterial sentence; yea, that, indeed, he should exclude it; for he (*After most diligent study, and diligent inquiry, consulting the best and wisest men<sup>1</sup>*) could find but two ways of doing it: *I*, saith he, *did always, and from almost every one, receive this answer: That if either he or any other would find out the frauds and avow the snares of upstart heretics, and continue sound and upright in the true faith, he should guard and strengthen his faith, God helping him, by these two means; viz. first, by the authority of the Divine law, and then by the tradition of the Catholic Church<sup>k</sup>:* and again, *We before have*



*versal Church*<sup>1</sup>. Is it not strange, that he (especially being a western man, living in those parts where the Pope had got much sway, and who doth press great reverence to the Apostolic See) could omit that way of determining points, which all (according to the modern conceits about the Pope) is most ready and most sure?

24 In like manner Tertullian professeth the Catholics in his time to use such compendious methods of confuting heretics: *We, saith he, when would despatch against heretics for the faith of the Gospel, do commonly use these short ways, which maintain both the order of times prescribing against the lateness of impostors, and the authority of the Churches patronising Apostolical tradition*<sup>m</sup>. But why did he skip over a more compendious way than any of those; namely, standing to the judgment of the Roman Bishop?

25 It is true, that both he, and St Irenæus before him<sup>n</sup>, disputing against the heretics of their times, who had introduced pernicious novelties of their own devising, when they allege the general consent of Churches (planted by the Apostles, and

<sup>1</sup> *Diximus in superioribus hanc fuisse semper et esse hodie Catholicorum consuetudinem ut fidem veram duobus his modis probent; primum Divini Canonis auctoritate, deinde Ecclesiarum Catholicarum traditione.*—p. 364.

<sup>m</sup> *His fere compendiis utimur, quum de Evangelii fidei adversarios experimur, defendantibus et temporum ordinem positati falsariorum prescribentem, et auctoritatem Ecclesiarum ditioni Apostolorum patrocinantem.*—Adv. Marc. IV. 5. [Opp. 116 B.]

*Solemus haereticis compendiis gratia de posteritate prescribere.* [d. con. Hermog. cap. I. [Opp. p. 233 A.]

<sup>n</sup> *The like discourse against heretics doth Clemens Alexander (Strom. VII. p. 549.) use.*

propagated by continual successions of Bishop those whom the Apostles did ordain) in do and practices opposite to those devices, as a argument (and so, indeed, it then was, ne a demonstration) against them, do produc Roman Church, as a principal one among upon several obvious accounts; and this, ir argueth the Roman Church to have been the competent witness, or credible retainer of trad as also were the other Apostolical Church whose testimony they likewise appeal: but w this to the Roman Bishop's judicial power in cases? why do they not urge that in plain t They would certainly have done so, if they known it, and thought it of any validity.

Do but mark their words, involving the of their argumentation: *When, saith Irenæus, do again (after allegation of Scripture) appear that tradition, which is from the Apostles, which successions of presbyters is preserved in the Church* and, *That, saith Tertullian, will appear to have been delivered by the Apostles, which hath been as holy in the Apostolical Churches. Let us see*



*is therefore manifest, saith he, in his Prescriptions against Heretics, that every doctrine, which doth conspire with those Apostolical Churches, in which the faith originally was planted, is to be accounted true; as undoubtedly holding that which the Churches did receive from the Apostles, the Apostles from Christ, and Christ from God; but all other doctrine is to be prejudged false, which doth think against the truth of the Churches, and of the Apostles, and of Christ, and of God<sup>a</sup>.* Their argumentation then, in short, is plainly this; that the conspiring of the Churches in doctrines contrary to those which the heretics vented, did irrefragably signify those doctrines to be Apostolical: which discourse doth nowise favour the Roman pretences, but indeed, if we do weigh it, is very prejudicial thereto; it thereby appearing, that Christian Doctors then in the canvassing of points and assuring tradition had no peculiar regard to the Roman Church's testimony, no deference at all to the Roman Bishop's authority; (not otherwise at least than to the authority of one single Bishop yielding attestation to tradition).

26 It is odd, that even old Popes themselves

Corinthii hauserint; ad quam regulam Galatæ sint recorrecti; quid legant Philippenses, Thessalonenses, Ephesii; quid etiam Romani de proximo sonent, quibus Evangelium et Petrus et Paulus sanguine quoque suo signatum reliquerunt. Habemus et Johannis alumnas Ecclesias, &c.—Adv. Marc. IV. 5. [Opp. p. 415 d.]

<sup>a</sup> Constat proinde omnem doctrinam, quæ cum illis Ecclesiæ Apostolicis matricibus et originalibus fidei conspiret, veritati depudet; sine dubio tenentem, quod Ecclesiæ ab Apostolis, Apostoli a Christo, Christus a Deo accepit: reliquam vero omnem doctrinam de mendacio præjudicandam, quæ sapiat contra veritatem Ecclesiarum, et Apostolorum, et Christi, et Dei.—De Praescr. Cap. XXI. [Opp. p. 209 A.]

in elaborate tracts disputing against heretics, (as Pope Celestine against Nestorius and Pelagius, Pope Leo against Eutyches,) do content themselves to urge testimonies of Scripture, and arguments grounded thereon; not alleging their own definitive authority, or using this parlous argumentation; *I, the supreme Doctor of the Church, and judge of controversies, do assert thus: and therefore you are obliged to submit your assent.*

27 It is matter of amazement, if the Popes were such as they would have him to be, that in so many bulky volumes of ancient Fathers, living through many ages after Christ, in those vast treasuries of learning and knowledge, wherein all sorts of truth are displayed, all sorts of duty are pressed; this momentous point of doctrine and practice should nowhere be expressed in clear and peremptory terms; (I speak so, for that by wresting words, by impertinent application, by straining consequences, the most ridiculous positions imaginable may be deduced from their writings).

Is it not marvellous, that Origen, St Hilary, St Cyril, St Chrysostom, St Jerome, St Austin, in their commentaries and tractates upon those places of Scripture (*Tu es Petrus. Pasce oves*) whereon they now build the papal authority, should be so dull and drowsy, as not to say a word concerning the Pope? That St Austin, in his so many elaborate tractates against the Donatists, wherein he discourses so prolixly about the Church, its unity, communion, discipline, should never insist upon the duty of obedience to the Pope, or charge those schismatics with their rebellion against him, or allege his authority against them?

If we consider, that the Pope was Bishop of the imperial city, the metropolis of the world; that he thence was most eminent in rank, did abound in wealth, did live in great splendour and reputation; had many dependencies, and great opportunities to gratify and relieve many of the clergy; that of the Fathers, whose volumes we have, all well affected towards him, divers were personally obliged to him for his support in their distress, (as Athanasius, Chrysostom, Theodoret;) or as to their patrons and benefactors, (as St Jerome;) divers could not but highly respect him, as patron of the cause wherein they were engaged, (as Basil, Gregory Nazianzen, Hilary, Gregory Nyssen, Ambrose, Austin;) some were his partisans in a common quarrel, (as Cyril;) divers of them lived in places and times wherein he had got much sway, (as all the western Bishops;) that he had then improved his authority much beyond the old limits; that all the Bishops of the western or Latin Churches had

a peculiar dependence on him<sup>r</sup>, (especially after that by advantage of his station, by favour of the court by colour of the Sardican Canons, by voluntary deferences and submissions, by several tricks, he had wound himself to meddle in most of the chief affairs;) that hence divers Bishops were tempted to admire, to court, to flatter him; that divers aspiring Popes were apt to encourage the commanders of their authority, which they themselves were apt to magnify and inculcate; considering, I say, such things, it is a wonder, that in so many voluminous discourses so little should be said favouring this pretence, so nothing that proveth it so much that crosseth it, so much indeed, as I hope to shew, that quite overthroweth it.

If it be asked how we can prove this, I answer that (beside who carefully peruseth those old book will easily see it) we are beholden to our adversarie for proving it to us, when they least intended us such a favour: for that no clear and cogent passage for proof of this pretence can be thence fetched, is sufficiently evident from the very allegations, which after their most diligent raking in old books they produce; the which are so few, and fall so very short of their purpose, that without much stretching they signify nothing.

28 It is monstrous, that in the Code of the Catholic Church (consisting of the decrees of so many Synods, concerning ecclesiastical order and discipline) there should not be one Canon directly

<sup>r</sup> Τῆς Ἄρματος ἐπισκοπῆς δόμοις τῇ Ἀλεξανδρίᾳ πέρα τῆς ιερᾶ σύνης ἐπὶ δυναστείαν ἥδη πᾶλαι προελθούσης.—Socr. vii. 11. The Bishopric of Rome is like to that of Alexandria, having now long ago arrived at that height of power above and beyond the priesthood.

declaring his authority; nor any mention made of him, except thrice accidentally; once upon occasion of declaring the authority of the Alexandrine Bishop<sup>1</sup>, the other upon occasion of assigning to the Bishop of Constantinople the second place of honour<sup>2</sup>, and equal privileges<sup>3</sup> with him.

If it be objected, that these discourses are negative, and therefore of small force; I answer, that therefore they are most proper to assert such a negative proposition: for how can we otherwise better shew a thing not to be, than by shewing it to have no footstep there, where it is supposed to stand? How can we more clearly argue a matter of right to want proof, than by declaring it not to be extant in the laws grounding such right; not taught by the masters who profess to instruct in such things; not testified in records concerning the exercise of it? Such arguments, indeed, in such cases are not merely negative, but rather privative; proving things not to be, because not affirmed there, where in reason they ought to be affirmed; standing therefore upon positive suppositions, that Holy Scripture, that general tradition are not

<sup>1</sup> Conc. Nic. Can. vi. [Bin. Tom. I. p. 342.] [Τὰ ἀρχαῖα ἔθη πραιτίω, τὰ ἐν Αἰγύπτῳ, καὶ Λιβύῃ καὶ Περγαμῷει· ὡστε τὸν Ἀλεξανδρίας ἐπίσκοπον πάντων τούτων ἔχειν τὴν ἐξουσίαν· ἐπειδὴ καὶ τῷ ὑπὸ Ράμη ἐπισκόπῳ τοῦτο σύνθετο δοτινον.—Mans. Conc. Tom. II. col. 669 B.]

<sup>2</sup> Conc. Constant. Can. III. [Bin. Tom. I. p. 661.] [Τὸν μέντοι Κανταπτικουπόλεως ἐπίσκοπον ἔχειν τὰ πρεσβεία τῆς τιμῆς μετὰ τὸν τῆς Ράμης ἐπίσκοπον, διὰ τὸ εἶναι αὐτὴν νέαν Ράμην.—Mans. Conc. Tom. III. col. 560 C.]

<sup>3</sup> Conc. Chalc. Can. XXVIII. [Bin. Tom. III. p. 447.] [Καὶ τῷ αὐτῷ σκοπῷ κινούμενοι οἱ ῥωτοί. Θεοφιλέστατοι ἐπίσκοποι τὰ ἵστα πρεσβεία διατηματαν τῷ τῆς νέας Ράμης ἀγιωτάτῳ θρόνῳ.—Mans. Conc. Tom. VII. col. 369 B.]

imperfect and lame toward their design; that ancient writers were competently intelligent, faithful, diligent; that all of them could not conspire in perpetual silence about things, of which they had often fair occasion and great reason to speak: in fine, such considerations, however they may be eluded by sophistical wits, will yet bear great sway, and often will amount near to the force of demonstration, with men of honest prudence. However we shall proceed to other discourses more direct and positive against the Popish doctrine.

II. Secondly, we shall shew that this pretence, upon several accounts, is contrary to the doctrine of Holy Scripture.

1 This pretence doth thwart the Holy Scripture, by assigning to another the prerogatives and peculiar titles appropriated therein to our Lord.

The Scripture asserteth him to be our only  
1 Cor. viii. 6; xii. 5. Eph. iv. 5. Ezek. xxxvii. 22. Luke i. 33. Sovereign Lord and King: *To us, saith it, there is one Lord; and One King shall be king over them; Who shall reign over the house of David for ever; and of his kingdom there shall be no end.* Who is

Boniface's good leave, who maketh St Peter or himself this shepherd<sup>1</sup>).

The Scripture telleth us, that we have one High <sup>Heb. iii. 1;</sup> Priest of our profession, answerable to that one in <sup>ix. 7, 24.</sup> the Jewish Church, his type.

The Scripture informeth us, that there is but one supreme Doctor, Guide, Father of Christians, prohibiting us to acknowledge any other for such; *Ye are all brethren: and call ye not any one father upon earth; for one is your Father, even he that is in heaven: neither be ye called masters; for one is your Master, even Christ.* Good Pope Gregory (not the seventh of that name) did take this for a good argument; for, *What therefore, dearest brother, said he to John of Constantinople, will thou say in that terrible trial of the Judge who is coming; who dost affect to be called not only Father, but general Father in the world?*<sup>2</sup>

The Scripture representeth the Church as a building whereof Christ himself is the chief cornerstone; as a family, whereof he being the *Pater-familias*, all others are fellow-servants; as one body, having one head<sup>3</sup>; whom God hath given to

<sup>1</sup> Eph. ii. 20.  
<sup>2</sup> Pet. ii. 4.

<sup>3</sup> Heb. iii. 6.  
Matt. x. 25.  
Eph. iv. 4;  
ii. 16;  
Rom. xii. 5.

<sup>1</sup> Extrav. Com. Lib. i. Tit. 8. c. 1. [Corp. Jur. Can. Tom. ii. p. 394. Igitur Ecclesia unius et unicae unum corpus, unum caput, non duo capita, quasi monstrum, Christus videlicet et Christi Vicarius Petrus, Petriique successor, dicente Domino ipso Petro, *Passus oves meas*, inquit et generaliter, non singulariter has vel illas, per quod commississe sibi intelligitur universas. Sive ergo Graeci sive alii se dicant Petro ejusque successoribus non esse commissos, fateantur necesse se de oibus Christi non esse; dicente Domino in Joanne, *Unum ovile, et unicuum esse Pastorem.*]

<sup>2</sup> Quid ergo, frater carissime, in illo terribili examine venientis Judicis dicturus es, qui non solum Pater, sed etiam generalis Pater in mundo vocari appetis?—Greg. M. Epist. v. 18. [Opp. Tom. ii. p. 745 c.]

<sup>3</sup> One head.—Hos. i. 11. ἡδὲ ἀρρεπι.—2 Cor. xi. 2.

<sup>1</sup> Cor. xii. be head over all things to the Church, <sup>w</sup>  
<sup>13</sup> Eph. i. 22; his body.

<sup>iv. 15; v.</sup>  
<sup>23.</sup> He is the one spouse of the Church;  
<sup>Col. i. 18.</sup> title one would think he might leave pecu-  
<sup>John iii.</sup> our Lord; there being no vice-husbands; y  
<sup>29.</sup> he been bold even to claim that, as may be  
<sup>Eph. v. 23.</sup> the Constitutions of Pope Gregory X. in  
 their general Synods<sup>a</sup>.

It seemeth therefore a sacrilegious art (derogating from our Lord's honour) for any to assume or admit those titles of Sovereign Church, Head of the Church, our Lord, Author, Highest Priest, chief Doctor, Master, Judge of Christians; upon what pretence, or what distinction soever: these pompatic, proud, perverse, wicked, profane words; names of singularity, elation, vanity, blasphemous (to borrow the epithets with which Pope Gregory I.<sup>b</sup> doth brand the titles of *Universal* and *Ecumenical Patriarch*, no less most sound, and far more innocent in meaning than those now ascribed to the Pope,) are therefore to be rejected; not only because they are injurious to all other pastors, and to the people of God's age, but because they do encroach upon our Lord, to whom they do only belong; much more usurp the things which they do naturally signify a horrible invasion upon our Lord's prerogatives.

<sup>a</sup> Sext. Decret. Lib. i. Tit. vi. cap. 3. § 4. [Corp. Tom. II. p. 289. — id acturi tantummodo, ut eorum narium) ministerio acceleretur utilis et pernecessaria totius provisio: idoneo celeriter eidem Ecclesiae sponso dato. (P. X. in General. Conc. Lugdun. An. 1273.)]

<sup>b</sup> Vid. Greg. M. Ep. v. 20, 21, 43, 18, 19; vii. 27, 3  
 ix. 68.

Thus hath that great Pope taught us to argue, in words expressly condemning some, and consequently all of them, together with the things which they signify; *What* (saith he, writing to the Bishop of Constantinople, who had admitted the title of Universal Bishop or Patriarch) *wilt thou say to Christ, the head of the universal Church, in the trial of the last judgment, who by the appellation of Universal dost endeavour to subject all his members to thee?* *Whom, I pray, dost thou mean to imitate in so perverse a word, but him who, despising the legions of angels constituted in fellowship with him, did endeavour to break forth unto the top of singularity, that he might both be subject to none, and alone be over all?* who also said, *I will ascend into heaven, and will exalt my throne above the stars—for what are thy brethren, all the Bishops of the universal Church, but the stars of heaven; to whom while by this haughty word thou desirest to prefer thyself, and to trample on their name in comparison to thee, what dost thou say, but, I will climb into heaven?*<sup>c</sup> And again, in another Epistle to the Bishops of Alexandria and Antioch, he taxeth the same patriarch for *assuming to boast*

<sup>c</sup> Tu quid Christo, universalis scilicet Ecclesiae capiti, in extremi judicii es dicturus examine, qui cuncta ejus membra tibimet conari Universalis appellatione supponere? Quis rogo, in hoc tam perverso vocabulo, nisi ille ad imitandum proponitur, qui despiciens angelorum legionibus secum socialiter constitutis, ad culmen conatus est singularitatis erumpere, ut et nulli subesse, et solus omnibus praesesse videretur? Qui etiam dixit: *In calum concordam, super astra caeli exaltabo solium meum* —. Quid enim fratres tui omnes universalis Ecclesiae Episcopi, nisi astra caeli sunt?—Quibus dum cupis temetipsum vocabulo elato ponere, eorumque nomen tui comparatione calcare—. —Ep. v. 18. [Opp. Tom. II. p. 742 z.]

*so that he attempteth to ascribe all things to himself, and studieth by the elation of pompous speech to subject to himself all the members of Christ, which do cohere to one sole head, namely, to Christ. Again, I confidently say, that whoever doth call himself Universal Bishop, or desireth to be so called, doth in his elation forerun Antichrist, because he pridingly doth set himself before all others.*

If these argumentations be sound, or signify any thing, what is the pretence of universal sovereignty and pastorship but a piece of Luciferian arrogance? Who can imagine that even this Pope could approve, could assume, could exercise it? If he did, was he not monstrously senseless, and above measure impudent, to use such discourses which so plainly, without altering a word, might be retorted upon him; which are built upon ~~sup~~ positions, that it is unlawful and wicked to assume superiority over the Church, over all Bishops, over all Christians; the which, indeed, (seeing never Pope was of greater repute, or did write in any case more solemnly and seriously) have given to

that no balm of sophistical interpretation can be able to heal it.

We see that according to St Gregory M. our Lord Christ is the one only head of the Church; to whom for company let us adjoin St Basil M. (that we may have both Greek and Latin for it,) who saith, that (according to St Paul) we are the body <sup>1 Cor. xii.</sup> <sup>27.</sup> of Christ, and members one of another, *Because it is manifest that the one and sole truly head, which is Christ, doth hold and connect each one to another unto concord!*

To decline these allegations of Scripture, they have forged distinctions of several kinds of Churches, and several sorts of heads; the which evasions I shall not particularly discourse, seeing it may suffice to observe in general, that no such distinctions have any place or any ground in Scripture, nor can well consist with it; which simply doth represent the Church as one kingdom, a kingdom <sup>John xviii.</sup> <sup>36.</sup> of heaven, a kingdom not of this world; all the

<sup>1</sup> Κρατούσης δηλοντί καὶ συναπτούσης ἕκαστον τῷ ἀλλῷ πρὸς ἑαυτον τῆς μᾶς καὶ μόνης ἀληθῶς κεφαλῆς, ητις ἔστιν δὲ Χριστός.—*De Jud. Div.* [Opp. Tom. II. p. 216 B.]

Totus Christus caput et corpus est. Caput unigenitus Dei Filius, et corpus ejus Ecclesia, sponsus et sponsa, duo in carne una. Quicunque de ipso capite ab Scripturis Sanctis dissentiant, etiam in omnibus locis inveniantur in quibus Ecclesia designata est, non sunt in Ecclesia, &c.—Aug. de Unit Eccl. cap. IV. [Opp. Tom. IX. col. 341 c.] Whole Christ is the head and the body; the head the only begotten Son of God, and his body the Church, the bridegroom and the spouse, two in one flesh. Whoever disagrees about the head itself from the Holy Scriptures, though they are found in all places in which the Church is designed, they are not in the Church, &c.

—Vid. con. Petil. III. 42. [Opp. Tom. IX. col. 322.]

It was unhappily expressed by Bellarmine: Ecclesia—secluso etiam Christo unum caput habere debet.—*De Pont. R. I. 9. [§ 19.]* The Church, even Christ himself being set aside, ought to have one head.

Phil. iii. 20. subjects whereof have their *πολίτευμα* in hea  
 Heb. xii. 22. or are considered as members of a city there  
 that it is vain to seek for a sovereign thereo  
 Acts xx. 28. this world: the which also doth to the Cat  
 Matt. xvi. 18. Church sojourning on earth usually impart  
 1 Cor. xii. 28; xv. 9. name and attributes properly appertaining to  
 Gal. i. 13. Church most universal, (comprehensive of all Ch  
 tians in heaven and upon earth,) because that  
 visible representative of this, and we by joining  
 offices of piety with that do communicate v  
 this; whence that which is said of one (concer  
 the unity of its king, its head, its pastor, its pri  
 is to be understood of the other; especially c  
 Matt. xxviii. 20. sidering that our Lord, according to his prom  
 is ever present with the Church here, governin  
 by the efficacy of his Spirit and grace, so that  
 other corporeal or visible head of this spirit  
 body is needful<sup>g</sup>.

It was to be sure a visible headship wh  
 St Gregory did so eagerly impugn and excl  
 against; for he could not apprehend the Bishop  
 Constantinople so wild, as to affect a jurisdic  
 over the Church mystical or invisible.



*one hope, one spirit of charity: but this pretence* Eph. iv.  
*turneth it into a worldly frame; united by the* 1 Cor. x. 4.  
*same bands of interest and design; managed in*  
*the same manner, by terror and allurement; sup-*  
*ported by the same props of force, of policy, of*  
*wealth, of reputation and splendour, as all other*  
*secular corporations are<sup>b</sup>.*

You may call it what you please; but it is evident, that in truth the papal monarchy is a temporal dominion, driving on worldly ends by worldly means; such as our Lord did never mean to institute: so that the subjects thereof may with far more reason, than the people of Constantinople had, when their Bishop Nestorius did stop some of their priests from contradicting him, say, *We have a king: a bishop we have not<sup>1</sup>:* so that upon every Pope we may charge that, whereof Anthimus was accused, in the Synod of Constantinople, under Mennas: *That he did account the greatness and dignity of the priesthood to be, not a spiritual charge of souls, but as a kind of politic rule<sup>k</sup>.*

This was that which seeming to be affected by the Bishop of Antioch, in encroachment upon the Church of Cyprus, the Fathers of the Ephesine Synod did endeavour to nip; enacting a Canon

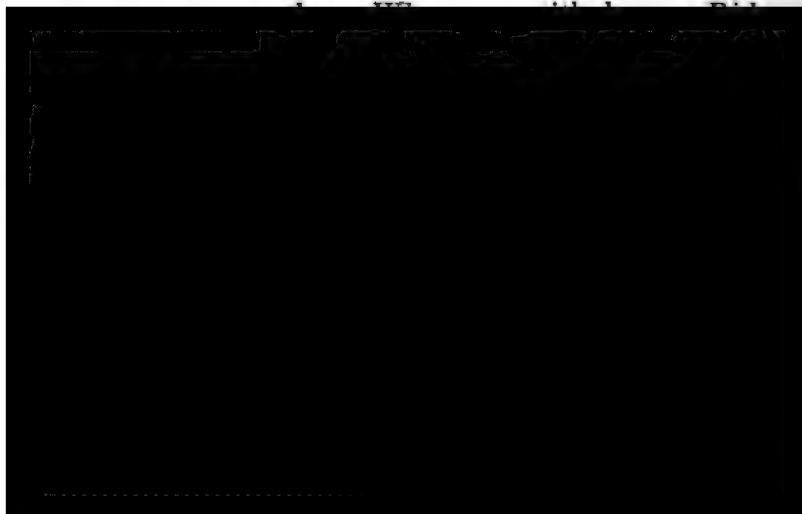
<sup>b</sup> *Caput nostrum, quod Christus est, ad hoc sua esse membra*  
*voluit, ut per compaginem charitatis et fidei unum nos in se*  
*opus efficeret.*—Greg. M. Ep. VII. 111. *Our head, which is Christ,*  
*should therefore have us to be his members, that by the conjunction of*  
*charity and faith he might make us to be one body.*

<sup>1</sup> *Βασιλέα ἔχομεν, ἐπίσκοπον οὐκ ἔχομεν.*—Conc. Eph. Part. cap. 30. [?]

<sup>k</sup> *Τὸ τῆς ἀρχιερείας μέγεθος καὶ ὁδίωμα οὐ πνευματικὸν φυχῶν*  
*ιωστασιαν εἶναι λογισάμενος, ἀλλ' οὐτα πολιτικὸν ἀρχὴν, διο.*—  
*Conc. sub Menn. Act. I. [Bin. Tom. IV. p. 9. c. 1 B.]*

against all such invasions, *Lest under pretext holy discipline the pride of worldly authority should creep in!* And what pride of that kind could there mean beyond that which now the Popes do claim and exercise<sup>m</sup>? Now, do I say, after that the papal empire hath swollen to such a bulk: whereas so long ago, when it was but in its bud and stripling age, it was observed of it by a very honest historian *that the Roman episcopacy had long since advanced into a high degree of power beyond the priesthood!*

3 This pretence doth thwart the Scripture by destroying that brotherly co-ordination and equality, which our Lord did appoint among the Bishops and chief pastors of his Church: he did (as we before shewed) prohibit all his Apostles to assume any domination, or authoritative superiority over one another; the which command, together with others concerning the pastoral function, we may well suppose to reach their successors: so did St Jerome suppose, collecting thence that all Bishops by original institution are equals, or that no one by our Lord's order may challenge superiority.



*the power of wealth or lowness of poverty doth not make a Bishop higher or lower; but all are successors of the Apostles<sup>o</sup>.* Where doth not he plainly deny the Bishop of Eugubium to be inferior to him of Rome, as being no less a successor of the Apostles than he? Doth he not say these words in way of proof, that the authority of the Roman Bishop or Church was of no validity against the practice of other Bishops and Churches<sup>p</sup>? (upon occasion of Deacons there taking upon them more than in other places, as Cardinal Deacons do now;) which excludeth such distinctions, as scholastical fancies have devised, to shift off his testimony; the which he uttered simply, never dreaming of such distinctions.

This consequence St Gregory did suppose, when he therefore did condemn the title of Universal Bishop, because it did imply an affectation of superiority and dignity in one Bishop above others; of abasing the name of other Bishops in comparison of his own, of extolling himself above the rest of Priests<sup>q</sup>, &c.

This the ancient Popes did remember, when

<sup>o</sup> *Ubicunque fuerit Episcopus sive Romæ, sive Eugubii, sive Constantinopolis, sive Rhœgi, sive Alexandriæ, sive Thanis, ejusdem meriti, ejusdem et sacerdotii. Potentia divitiarum, et paupertatis humilitas, vel sublimiore vel inferiore Episcopum non facit. Ceterum omnes Apostolorum successores sunt.*—Hier. Ep. lxxxv.

<sup>ad</sup> *Evagr. [Ad Evangel. Ep. cm. Opp. Tom. iv. p. ii. col. 802.]*

<sup>p</sup> *Si auctoritas queritur, orbis major est urbe: Ubicunque, &c.*

<sup>q</sup> *Illud appetunt unde omnibus digniores videantur.*—Ep.

<sup>IV.</sup> <sup>24.</sup>

*Quia superbiendo se cesteris præponit.*—Ep. vi. 38.

*Super cesteros sacerdotes se extollit.*—Ibid.

*Cupis Episcoporum nomen tui comparatione calcare.*—Ep.

<sup>IV.</sup> <sup>38.</sup>

*Cuncta ejus membra tibimet conarisi supponere.*—Ibid.

usually in their compellation of any Bisho  
did style them *Brethren, colleagues, fellow-m  
fellow-bishops*<sup>1</sup>, not intending thereby com  
or mockery, but to declare their sense of i  
ginal equality among Bishops; notwithstanding  
some differences in order and privileges,  
their See had obtained: and that this was th  
ral sense of the Fathers we shall afterward  
Hence, when it was objected to them, that  
did affect superiority, they did sometimes d  
it: so did Pope Gelasius I.<sup>2</sup> (a zealous man  
honour of his See).

4 This pretence doth thwart the Holy  
ture, not only by trampling down the digni  
Bishops, (which according to St. Gregor  
imply great pride and presumption,) but also  
infringing the rights granted by our Lord  
Church, and the governors of it<sup>3</sup>.

Rev. ii. &  
iii.

1 Tim. iii.  
15.

For to each Church our Lord hath im  
duty, and imparted a power of maintaining  
truth, and so approving itself *a pillar and  
a corner stone of truth*: of deciding controversies possi  
proper to be decided with due temperance.



thout further resort; for that he, who will not  
ey or acquiesce in its decision, is to be as a hea- <sup>Matt. xviii.</sup>  
en or publican: of censuring and rejecting of-<sup>17.</sup>  
nders; (in doctrine or demeanour;) *Those within,* <sup>1 Cor. v.</sup>  
ith St Paul to the Church of Corinth, *do not ye* <sup>12, 13.</sup>  
*Vid. v. 4, 5.*  
*dge? But them that are without God judgeh:*  
*herefore put away from among yourselves that*  
*icked person: of preserving order and decency,*  
*ccording to that rule prescribed to the Church*  
*f Corinth, *Let all things be done decently and in* <sup>1 Cor. xiv.</sup>  
*order: of promoting edification: of deciding causes.* <sup>40.</sup> <sup>1 Thess. v.</sup>*

All which rights and privileges the Roman  
ishop doth bereave the Churches of, snatching  
em to himself; pretending that he is the sove-  
ign doctor, judge, regulator of all Churches;  
ruling and voiding all that is done by them,  
ording to his pleasure.

The Scripture hath enjoined and empowered all  
ishops to feed, guide, and rule their respective  
urches, as the ministers, stewards, ambassadors, <sup>Acts xx.</sup>  
gels of God; for the perfecting of the saints, for <sup>28.</sup>  
e work of the ministry, for the edification of the <sup>17.</sup> <sup>1 Pet. v. 2.</sup>  
dy of Christ: to whom God hath committed the <sup>19.</sup> <sup>1 Tim. iii.</sup>  
re of their people, so that they are responsible for <sup>15.</sup>  
ir souls. <sup>15.</sup> <sup>Tit. i. 7.</sup>  
<sup>28.</sup> <sup>1 Cor. xii.</sup>  
<sup>12.</sup> <sup>Eph. iv. 11,</sup>  
<sup>Rev. ii. &c.</sup>

All which rights and privileges of the episcopal  
ifice the Pope hath invaded, doth obstruct, cramp,  
strate, destroy; pretending (without any war-  
nt) that their authority is derived from him;  
ring them to exercise it no otherwise, than as his  
bjects, and according to his pleasure<sup>u</sup>. But of  
is point more afterward.

\* *Dei et Apostolicae Sedis gratia.*—*Vid. post.*

*Superbum nimis est et immoderatum ultra proprios terminos*

5 This pretence doth thwart the Scripture, by robbing all Christian people of the liberties and rights with which by that divine charter they are endowed\*, and which they are obliged to preserve inviolate.

Gal. v. 1. St Paul enjoineth the Galatians to stand fast in the liberty wherewith Christ hath made us free, and not to be entangled again with the yoke of bondage. There is therefore a liberty which we must maintain, and a power to which we must not submit: and against whom can we have more ground to do this, than against him who pretendeth to dogmatize, to define points of faith, to impose doctrines (new and strange enough) on our consciences, under a peremptory obligation of yielding assent to them; to prescribe laws, as divine and necessary to be observed, without warrant, as those dogmatists did, against whom St Paul biddeth us to maintain our liberty? (so that if he should declare virtue to be vice, and white to be black, we must believe him, some of his adherents have said, consistently enough with his pretences:) for, against such tyrannical invaders we are bound to maintain

Col. ii. 16. 18.

ings of a General Synod, with much more  
y we thereby justify our non-submission  
man's exorbitant domination.

This is a power which the Apostles themselves  
did not challenge to themselves; for, *We, saith*  
*St Paul, have not dominion over your faith, but are* <sup>2 Cor. i. 24.</sup>  
*helpers of your joy.* They did not pretend that  
any Christian should absolutely believe them in  
cases wherein they had not revelation (general or  
special) from God; in such cases referring their <sup>Cor. x. 15;</sup>  
opinion to the judgment and discretion of Christians. <sup>vii. 12, 25;</sup> <sub>40.</sub>  
They say, *Though we, or an angel from heaven,* <sup>Gal. i. 8.</sup>  
*preach any other Gospel unto you than that which*  
*we have preached unto you, let him be accursed;*  
*If any man preach any other Gospel unto you than* <sup>vers. 9.</sup>  
*that ye have received, let him be accursed:* which  
precept, with many others of the like purport,  
(enjoining us to examine the truth, to adhere unto  
the received doctrine, to decline heterodoxies and  
novelties,) doth signify nothing, if every Christian  
hath not allowed to him a judgment of discretion,  
but is tied blindly to follow the dictates of another.

St Austin (I am sure) did think this liberty  
such, that without betraying it no man could be  
obliged to believe anything not grounded upon  
canonical authority: for to a Donatist, his ad-  
versary, citing the authority of St Cyprian against  
him, he thus replieth: *But now seeing it is not*  
*canonical which thou recitest, with that liberty to*  
*which the Lord hath called us, I do not receive the*  
*opinion, differing from Scripture, of that man*  
*whose praise I cannot reach, to whose great learning*

*utiam pia mente retinentes: Si quis vobis evangelizaverit præter*  
*quod accepitis, anathema sit.—(Gal. i. 9.)]*

*I do not compare my writings, whose wit I  
in whose speech I delight, whose charity I ad-  
whose martyrdom I reverence<sup>1</sup>. This liberty,  
only the ancients, but even divers Popes  
acknowledged to belong to every Christian; a  
shall hereafter shew, when we shall prove, tha  
may lawfully reject the Pope, as a patron of  
and iniquity.*

6 It particularly doth thwart Scripture  
wronging princes, in exempting a numerous so  
people from subjection to their laws and judicial  
whereas by God's ordination and express comm  
<sup>Rom. xiii.</sup> every soul is subject to them; not excepting  
Popes themselves; (in the opinion of St Chrysos  
except they be greater than any Apostle;) by  
tending to govern the subjects of princes with  
their leave; to make laws without his permis  
or confirmation; to cite his subjects out of t  
territories, &c. which are encroachments upon  
rights of God's unquestionable ministers.

III. Further, because our adversaries do  
regard any allegation of Scripture against ti

sheweth, that in the primitive Church the Pope was not deemed to have a right of universal sovereignty: for if such a thing had been instituted by God, or established by the Apostles, the Pope certainly with evident clearness would have appeared to have possessed it; and would have sometimes (I might say frequently, yea continually) have exercised it in the first ages: which that he did not at all, we shall make, I hope, very manifest, by reflecting on the chief passages occurring then; whereof, indeed, there is scarce any one, which, duly weighed, doth not serve to overthrow the Roman pretence; but that matter I reserve to another place; and shall propound other considerations, declaring the sense of the Fathers; only I shall add, that, indeed,

2 The state of the most primitive Church did not well admit such an universal sovereignty. For that did consist of small bodies incoherently situated, and scattered about in very distant places, and consequently unfit to be modelled into one political society, or to be governed by one head. Especially considering their condition under persecution and poverty. What convenient resort for direction or justice could a few distressed Christians in Egypt, Ethiopia, Parthia, India, Mesopotamia, Syria, Armenia, Cappadocia, and other parts, have to Rome! What trouble, what burden had it been, to seek instruction, succour, decision of cases thence! Had they been obliged or required to do so, what offences, what clamours would it have raised! seeing that afterward, when Christendom was connected and compacted together, when the state of Christians was flourishing and prosperous, when

passages were open, and the best of opportunities of correspondence were afforded, yet the setting out of these pretences did cause great oppositions and stirs; seeing the exercise of this authority, when it had obtained most vigour, did produce so many grievances, so many complaints, so many courses to check and curb it, in countries feeling the inconveniences and mischiefs springing from it.

The want of the like in the first ages is a good argument that the cause of them had not yet sprung up; Christendom could not have been so still, if there had been then so meddlesome a body in it as the Pope now is.

The Roman clergy, in their Epistle to St Cyprian, told him, that *Because of the difficulty of things and times, they could not constitute a Bishop who might moderate things*<sup>a</sup> immediately belonging to them in their own precincts: how much more in that state of things would a Bishop there be fit to moderate things over all the world; when, as Rigaltius truly noteth, *The Church being then oppressed with various vexations, the communication of provinces between themselves was difficult and*

ore could so long subsist without the use of such uthority, by the vigilance of governors over their locks, and the friendly correspondence of neighbour Churches: and if he would let it alone, it night do so still. That could be no divine institution, which had no vigour in the first and best imes; but an innovation raised by ambition.

3 The Fathers did suppose no order in the Church, by original right, or divine institution, superior to that of a Bishop; whence they com only did style a Bishop the highest priest, and 'piscopacy the top of ecclesiastical orders<sup>d</sup>.

*The chief priest, saith Tertullian<sup>e</sup>, that is, the Bishop, hath the right of giving Baptism. Although, with St Ambrose<sup>f</sup>, the Presbyters also do it, yet the beginning of the ministry is from the highest priest. Baptatus calleth Bishops The tops and princes of*

~~Pontificis auctoritatem~~—propter persecutiones continuas non ~~quuisse Romanos Pontifices libere exercere eam, quam a Christo~~ ~~ceperant auctoritatem, &c.~~—De S. Pont. II. 17. [§§ 25, 24.]

<sup>d</sup> 'Υπὸ τοῦ Κυρίου διδαχθέντες ἀκολουθίαν πραγμάτων τοῖς μὲν ἐπι-  
στοις τὰ τῆς ἀρχιερωσύνης ἀνείμαμεν, τοῖς δὲ πρεσβυτέροις τὰ τῆς  
πατρισύνης, τοῖς δὲ διακόνοις τὰ τῆς πρὸς ἀμφοτέρους διακονίας.—Const.  
Pont. VIII. 46. [Cot. Pat. Apost. Tom. I. p. 422.]

<sup>e</sup> Dandi quidem habet jus summus sacerdos, qui est Episcopus.  
—De Bapt. cap. xvii. [Opp. p. 230 c.]

<sup>f</sup> Licet enim et presbyteri fecerint, tamen exordium ministerii  
summo est sacerdote.—De Sacr. III. 1. [Opp. Tom. II. col. 362 b.]  
[Suscepisti gubernacula summi sacerdotii.—Id. Ep. IV.] [Opp.  
Tom. II. col. 763 b.]

<sup>g</sup> Apices et principes omnium.—Lib. I. [cap. 13. p. 14.]  
Ecclesiae salus in summi sacerdotis dignitate pendet.—Hier.  
IV. Lucif. [Opp. Tom. IV. P. II. p. 295. *The safety of the Church  
depends upon the dignity of the High Priest.*]

Omnium pene judicio, dignus summo sacerdotio decernebar.—  
I. Ep. xxviii. ad Asell. [Opp. Tom. IV. P. II. p. 66.]

In Episcopo omnes ordines sunt; quia primus sacerdos est,  
et est, princeps est sacerdotum, et propheta et evangelista, et  
etera adimplenda officia Ecclesiae in ministerio fidelium.—Ambr.

they are priests, yet have they not the top priesthood. No man, saith Pope Zosimus against the precepts of the Fathers, should p to aspire to the highest priesthood of the . It is decreed, saith Pope Leo I.<sup>1</sup> that the episcopi, or Presbyters, who figure the Aaron, shall not presume to snatch that the princes of the priests (whom Moses and did typify) are commanded to do. (Note,

in Eph. iv. 11. [Opp. Tom. II. (App.) col. 241 d.] In t there are all orders, because he is the first priest; i. e. the priests, and prophet, and evangelist, and all other offices of t to be fulfilled in the ministry of the faithful.

<sup>2</sup> 'H θεία τῶν ἱεραρχῶν τάξις, &c.—[De Eccl. Hier. et Opp. Tom. I. p. 308 A.]

Pontifex princeps sacerdotum est, quasi via sequentia et summus sacerdos, ipse et Pontifex maximus nuncupati Hisp. apud Grat. Dist. xxi. cap. I. § 8. [Corp. Jur. Can p. 27.]

<sup>1</sup> Nam Presbyteri, licet sint sacerdotes, pontifical apicem non habent.—P. Innoc. I. Ep. I. ad Decent. [Bin p. 751 F.] [Mans. Conc. Tom. III. col. 1029 B.]

— dum facile imponuntur manus, dum negligenter sacerdos eligitur.—Id. Ep. XII. ad Aurel. [Bin. p. 759 c. Conc. col. 1050 B.]

way, that seeing according to this Pope's mind (after St Jerome<sup>m</sup>) Moses and Aaron did in the Jewish policy represent Bishops, there was none there to prefigure the Pope.)

In those days the Bishop of Nazianzum (a petty town in Cappadocia) was an high priest, (so Gregory calleth his father<sup>n</sup>;) and the Bishop of a poor city in Afric is styled *Sovereign Pontiff of Christ, most blessed Father, most blessed Pope*<sup>o</sup>; and the very Roman clergy doth call St Cyprian *Most blessed and most glorious Pope*<sup>p</sup>: which titles the Pope doth now so charily reserve and appropriate to himself.

But innumerable instances of this kind might be produced: I shall only therefore add two other passages, which seem very observable, to the enforcement of this discourse.

St Jerome, reprobating the discipline of the Montanists, hath these words<sup>q</sup>; *With us the Bishops*

<sup>m</sup> Ut sciamus traditiones Apostolicas sumptas de Veteri Testamento, quod Aaron et filii ejus atque Levites in templo fuerunt, hoc sibi Episcopi, et Presbyteri et Diaconi vindicent in Ecclesia.—Hier. [Ep. ci. ad Evag. Opp. Tom. iv. P. ii. p. 803.]

<sup>n</sup> [Οὐ μὴ δέ μέγας ἀρχιερεὺς, &c.—Greg. Naz. Orat. xviii. Opp. Tom. i. p. 354 b.]

A Bishop called ἀρχιερεύς.—Apost. Const. viii. 10, 12. [Cot. at. Apost. Tom. i. pp. 397, 399.]

<sup>o</sup> Summus Christi Pontifex Augustinus.—Paulin. apud Aug. Ep. xxxii. Opp. Tom. ii. col. 59 b.]

Beatissimo Papae Augustino.—Hieron. ad Aug. [Epp. lxxv. viii. lxxii.]

<sup>p</sup> Optamus te beatissime ac gloriosissime Papa in Domino semper bene valere.—Ep. xxxi. [Opp. p. 45.]

<sup>q</sup> Apud nos Apostolorum locum Episcopi tenent; apud eos Episcopus tertius est. Habent enim primos de Pepusa Phrygia patriarchas; secundos, quos appellant Cenonas; atque ita in terium, id est, pene ultimum locum Episcopi devolvuntur; quasi exinde ambitionis Religio fiat, si quod apud nos primum est, apud

*do hold the places of the Apostles; with them a Bishop is in the third place: for they have for the first rank the Patriarchs of Pepusa in Phrygia; for the second, those whom they call Cenones; so are Bishops thrust down into the third, that is, almost the last place; as if thence Religion became more stately, if that which is first with us be the last with them.* Now doth not St Jerome here affirm, that every Bishop hath the place of an Apostle, and the first rank in the Church? Doth not he tax the advancement of any order above this? May not the Popish Hierarchy most patly be compared to that of the Montanists, and is it not equally liable to the censure of St Jerome? Doth it not place the Roman Pope in the first place, and the Cardinals in the second, detruding the Bishops into a third place? Could the Pepusian Patriarch, or his Cenones, either more overtop in dignity, or sway by power over Bishops, than doth the Roman Patriarch and his Cardinals?

Again, St Cyprian telleth Pope Cornelius, that in Episcopacy doth reside the sublime and divine power of governing the Church<sup>r</sup>; it being the sublime top of the priesthood: *He, saith the blessed man concerning Pope Cornelius, did not suddenly arrive to Episcopacy; but being through all ecclesiastical offices promoted, and having in divine administrations often merited of God, did by all the steps of Religion mount to the sublimest pitch of*

illos novissimum sit.—[Ep. xxvii. ad Marcell. Opp. Tom. iv. P. II. p. 65.]

<sup>r</sup> —— actum est de Episcopatus vigore, et de Ecclesiae gubernandæ sublimi ac divina potestate.—Cyp. Ep. LV. (ad P. Cornel.) [Opp. p. 80.]

*n*iesthood<sup>o</sup>. Where it is visible, that St Cyprian doth not reckon the Papacy, but the Episcopacy of Cornelius to be that top of priesthood, (above which there was nothing eminent in the Church,) unto which he passing through the inferior degrees of the clergy had attained.

In fine, it cannot well be conceived that the ancients constantly would have spoken in this manner, if they had allowed the papal office to be such as now it doth bear itself; the which, indeed, is an order no less distant from Episcopacy than the rank of a King differeth from that of the meanest Baron in his kingdom.

Neither is it prejudicial to this discourse, (or to any preceding,) that in the primitive Church there were some distinctions and subordinations of Bishops<sup>1</sup>, (as of Patriarchs, Primates, Metropolitans, common Bishops,) for these were according to prudence constituted by the Church itself for the more orderly and peaceable administration of things. These did not import such a difference among the Bishops, that one should domineer over others, to the infringing of primitive fraternity, or common liberty: but a precedence in the same rank, with some moderate advantages for the common good. These did stand under authority of the Church; and might be changed or corrected, if was found expedient, by common agreement. By virtue of these the superiors of this kind could

<sup>o</sup> Non iste ad Episcopatum subito pervenit, sed per omnia clieastica officia promotus, et in divinis administrationibus Domum sepe promeritus, ad sacerdotii sublime fastigium cunctis dignionis gradibus ascendit.—Id. Ep. LII. [Opp. p. 68.]

<sup>1</sup> The Africans had a particular care that this primacy should not degenerate into tyranny.

do nothing over their subordinates in an arbitrary manner, but according to the regulation of <sup>the</sup> established by consent in Synods<sup>u</sup>; by which influence was amplified or curbed.

When any of these did begin to domineer exceed his limits, he was liable to account for correction; he was excommunicated against as <sup>canon</sup>ical<sup>x</sup>.

When Primates did begin to swell a croach, good men declared their displeasure and wished it removed; as is known partly by the famous wish of Gregory Nazianzen<sup>y</sup>.

<sup>u</sup> Conc. Antioch. Can. ix. [Bin. Tom. I. p. 507.] ἐκάστην ἡπαρχίαν ἐπισκόπους εἰδίναι χρὴ τὸν ἐν τῇ μητροπόλει ἐπίσκοπον, καὶ τὴν φροντίδα ἀναδέχεσθαι πάσης τῆς ἡπαρχίας, τῇ μητροπόλει πανταχόθεν συντρέχειν πάντας τοὺς πράγματα δόθεν ἔδοξε καὶ τῇ τιμῇ προηγέονται αὐτὸν, μηδέν τε πράττει τοὺς λοιποὺς ἐπισκόπους ἀνεύ αὐτοῦ, &c. — περαιτέρω δὲ μὲν ἐπιχειρεῖν δίχα τοῦ τῆς μητροπόλεως ἐπισκόπου, μηδὲ αὐτὶ τῶν λοιπῶν γνώμης.—Mans. Conc. Tom. II. col. 1312 c.]

Conc. Carth. apud Cypr. [Neque enim quisquam noscitur esse esse Episcoporum constituit, aut tyrannico et obsequiendi necessitatibus collegas suos adigit, quando habet Episcopus pro licentia libertatis et potestatis suae arbitrium, tamque judicari ab alio non possit quam nec ipsum alterum judicare.—Opp. p. 329.]

Cod. Can. Eccl. Afr. Can. xxxix. [Bin. Tom. I. p. 9 τὸν τῆς πρώτης καθίδρας ἐπίσκοπον, μὴ λέγεσθαι ἔξαρχον τῶν ἄκρων ιερέα, ή τοιωντο τροπόν τί ποτε ἀλλὰ μόνον ἐπίσκοπος τῆς καθίδρας.]

Vid. Con. Apost. Can. xxxiv. [Bin. Tom. I. p. 10.] [μὴ τολμᾶν ἔξω τῶν ἑαυτοῦ ὅρων χειροτονίαν ποιεῖσθαι εἰς τὰς μάρας αὐτῷ πόλεις καὶ χώρας, &c.—Mans. Conc. Tom. I. col.

<sup>x</sup> Οὐά τε τυραννίδας τὰς φιλαρχίας ἐκθύμως διεκδικοῦντες.

But we are discoursing against a superiority of a different nature, which foundeth itself in the institution of Christ, imposeth itself on the Church, is not alterable or governable by it, can endure no check or control, pretendeth to be endowed with an absolute power to act without or against the consent of the Church, is limited by no certain bounds but its own pleasure, &c.

IV. Further, this pretence may be impugned by many arguments springing from the nature and reason of things abstractedly considered; according to which the exercise of such an authority may appear unpracticable, without much iniquity, and great inconvenience, in prejudice to the rights of Christian states and people, to the interests of Religion and piety, to the peace and welfare of mankind: whence it is to be rejected, as a pest of Christendom.

I. Whereas all the world in design and obligation is Christian, (the utmost parts of the earth *Psalm ii. 8.* being granted in possession to our Lord; and his *Col. i. 23.* Gospel extending to every creature under heaven,) *Luke xxiv. 47.* and may in effect become such, when God pleaseth, *Matt. xxviii. 19.* by acceptance of the Gospel; whereas it may easily happen, that the most distant places on the earth may embrace Christianity; whereas, really, Christian Churches have been and are dispersed all about the world; it is thence hugely incommodious, that all the Church should depend upon an authority

of Rome, but) of Alexandria.—VII. 11. [Τῆς Ῥωμαίων ἀποστολῆς δροῖς, τῇ Ἀλεξανδρίων πέρα τῆς Ιερωσούνης, ἐπὶ δυναστείαν ἥδη πᾶλαι τροπλούσης.] So St Chrysostom in 1 Tim. iii. 1. in Eph. Orat. II. So Gregory Nazianzen (ubi supra) complained of τυραννικὴ προσομία.

resident in one place, and to be managed by one person: the Church, being such, is too immense; boundless, uncircumscribed, unwieldy a bulk, to be guided by the inspection, or managed by the influence, of one such authority or person.

If the whole world were reduced under the government of one civil monarch, it would necessarily be ill governed, as to policy, to justice, to peace: the skirts, or remoter parts from the metropolis or centre of the government, would extremely suffer thereby; for they would feel little light or warmth from majesty shining at such a distance: they would live under small awe of that power, which was so far out of sight: they must have very difficult recourse to it, for redress of grievances, and relief of oppressions; for final decision of causes, and composure of differences; for correction of offences, and dispensation of justice, upon good information, with tolerable expedition; it would be hard to preserve peace, or quell seditions, and suppress insurrections, that might arise in distant quarters.

What man could obtain the knowledge or experience needful skilfully and justly to give laws or administer judgment to so many nations different in humour, in language, in customs? What mind of man, what industry, what leisure, could serve to sustain the burden of that care, which is needful to the wielding such an office? How and when should one man be able to receive all the addresses, to weigh all the cases, to make all the resolutions and despatches requisite for such a charge<sup>2</sup>? If the

<sup>2</sup> Quum tot sustineas et tanta negotia solus, &c.—Hor. *E*  
II. 1.

burden of one small kingdom be so great that wise and good princes do groan under its weight, what must that be of all mankind? To such an extent of government there must be allowed a majesty, and power correspondent, the which cannot be committed to one hand, without its degeneration into extreme tyranny. The words of Zosimus to this purpose are observable; who saith, that the Romans, by admitting Augustus Cæsar to the government, did do very perilously; for *If he should choose to manage the government rightly and justly, he would not be capable of applying himself to all things as were fit, not being able to succour those who do lie at greatest distance; nor could he find so many magistrates as would not be ashamed to defeat the opinion conceived of them; nor could he suit them to the differences of so many manners: or if, transgressing the bounds of royalty, he should warp to tyranny, disturbing the magistracies, overlooking misdemeanours, bartering right for money, holding the subjects for slaves, (such as most Emperors, or rather near all have been, few excepted;) then it is quite necessary that the brutish authority of the prince should be a public calamity: for then flatterers being by him dignified with gifts and honours do invade the greatest commands; and those who are modest and quiet, not affecting the same life with them, are consequently displeased, not enjoying the same advantages; so that from hence cities are filled with seditions and troubles. And the civil and military employments being delivered up to avaricious persons, do both render a peaceable life sad and grievous to men of better*

*disposition, and do enfeeble the resolution of soldiers in war<sup>a</sup>.*

Hence St Austin<sup>b</sup> was of opinion, that it were happy for mankind if all kingdoms were small, enjoying a peaceful neighbourhood.

It is commonly observed by historians, that Rome growing in bigness, did labour therewith<sup>c</sup>, and was not able to support itself; many distempers and disorders springing up in so vast a body, which did throw it into continual pangs, and at length did bring it to ruin; for *Then*, saith St Austin concerning the times of Pompey, *Rome had subdued Afric, it had subdued Greece; and widely also ruling over other parts, as not able to bear itself, did in a manner by its own greatness break itself<sup>d</sup>.*

<sup>a</sup> Εἴτε γὰρ ὁρθῶς, &c.—Zos. Hist. I. (p. 4. Steph.)

<sup>b</sup> Felicioribus sic rebus humanis, omnia regna parva essent, concordi vicinitate latantia.—De Civ. D. IV. 15. [Opp. Tom. VII. col. 99 D.]

'Αλλ' ἔστι τι καὶ πόλεσι μεγέθους μέτρον, ὡστε καὶ τῶν ἄλλων πάτων, ζῷων φυτῶν ὀργάνων. καὶ γὰρ τούτων ἔκαστον οὐτε λίαν μέρος, οὐτε κατὰ μέγεθος ὑπερβάλλον ἔξει τὴν αὐτοῦ δύναμιν.—Arist. Pol. VII. 4, 10. *There is a certain measure of greatness fit for cities and commonwealths, as well as for all other things, living creatures, plants, instruments; for every one of these hath its proper virtue and faculty, when it is neither very little, nor yet exceeds in bigness.*

Tis γὰρ στρατηγὸς ἔσται τοῦ λιαν ὑπερβάλλοντος πλήθους, οὐ τοῦ κῆρυξ μη στρατόπεδος;—Id. ibid. *For who would be a captain of an excessive huge multitude? &c.*

<sup>c</sup> Suis et ipsa Roma viribus ruit.—Hor. Epod. XVI. 2.  
—quæ ab exiguis initiis creverit, ut jam magnitudine labore sua.—Liv. I.

Ac nescio an satius fuerit populo Romano Sicilia et Africa contento fuisse, aut his etiam ipsis carere dominanti in Italia sua, quam eo magnitudinis crescere, ut viribus suis conficeretur.—Flor. III. 12.

<sup>d</sup> Tunc jam Roma subjugaverat Africam, subjugaverat Græciam,

Hence that wise prince, Augustus Cæsar, did himself forbear to enlarge the Roman dominion, and did in his testament advise the Senate to do he like<sup>e</sup>.

To the like inconveniences (and much greater in its kind; temporal things being more easily ordered than spiritual, and having secular authority, great advantages of power and wealth, to aid itself) must the Church be obnoxious, if it were subjected to the government of one sovereign, unto whom the maintenance of faith, the protection of discipline, the determination of controversies, the revision of judgments, the discussion and final decision of causes upon appeal, the suppression of disorders and factions, the inspection over all governors, the correction of misdemeanours, the constitution, relaxation and abolition of laws, the resolution of all matters concerning Religion and the public state, in all countries must be referred.

*Πρὸς ταῦτα τίς ικανός;* What shoulders can bear <sup>2 Cor. ii. 16.</sup> such a charge without perpetual miracle? (and yet we do not find that the Pope hath any promise of lateque etiam aliis orbis partibus imperans tanquam seipsum ferre non valens, sua se quodammodo magnitudine fregerat.—Aug. de Civ. D. xviii. 45. [Opp. Tom. vii. col. 528 E.] Tac. Hist. II. p. 476.

<sup>f</sup> Γνόμην τε αὐτοῖς ἔδωκε τοῖς τε παρούσιν ἀρκεσθῆναι, καὶ μηδαμῶς ἵππο τὸ πλεῖον τὴν ἀρχὴν ἐπαυξῆσαι ἐθελῆσαι. δυσφύλακτός τε γάρ αὐτὴν σεσθεῖς ἔφη· τούτο γάρ καὶ αὐτὸς ὅντως ἀεὶ ποτε οὐ λόγῳ μόνον, ἀλλὰ μὲν ἕργῳ ἐτήρησε· παρὸν γοῦν αὐτῷ πολλὰ ἐκ τοῦ βαρβαρικοῦ προσκτήσασα, οὐν ἡθελησε. —Dion. Lib. lvi. *He advised them to be content with what they had, and by no means to endeavour the enlargement of their empire; for, said he, it will be hardly kept: and this he himself observed, not in word only, but in deed; for when he might have gotten more from the barbarous nations, yet he would not.* Vid. *Ec. Ann. I.*

*Ipsa nocet moles, utinam remcare liceret  
Ad veteres fines, et moenia pauperis Anci, &c.—*

*Claud. de Bello Gildon. 109.*

miraculous assistance, nor in his demeanour appear any mark thereof.) What mind would the care of so many affairs utterly distract overwhelm? who could find time to cast a glance on each of so numberless particulars? What sagacity of wit, what variety of learning, what penetration of judgment, what strength of memory, what indefatigable vigour of industry, what abundance of experience, would suffice, for enabling one to weigh exactly all the controversies of faith cases of discipline perpetually starting up in many regions?

What reach of skill and ability would serve the accommodation of laws to the different humours and fashions of so many nations? Shall a decrepit old man, in the decay of his age, parts, vigour, (as Popes usually are,) undertake this? May we say to him, as Jethro did to Moses, *Ultra et tuas est negotium; The thing thou doest is good: thou wilt surely wear away, both thou and this people that is with thee: for this thing is heavy for thee; thou art not able to perform thyself alone.* If the care of a small diocese h

Exod.  
xviii. 17,  
18.

ith,—*Ut intestina nostræ specialis Ecclesiæ negotia  
et possemus ventilare, nedum longinqua ad plenum  
tricare*<sup>8</sup>.

If it be said that St Paul testifieth of himself, at he had a care of all the Churches incumbent <sup>2 Cor. xi.  
28.</sup> upon him; I answer, that he (and other Apostles had <sup>the like</sup>) questionless had a pious solicitude for the welfare of all Christians, especially of the Churches which he had founded, being vigilant for occasions to edify them. But what is this, to bearing the charge of a standing government over all the Churches diffused through the world? That care of few Churches then was burdensome to him; what the charge of so many now; to one seldom endowed with such Apostolical graces and gifts as St Paul was<sup>9</sup>?

How weak must the influence of such an authority be upon the circumferential parts of its ecumenical sphere!

How must the outward branches of the Churches wither and fade for want of sap from the root of discipline, which must be conveyed through so many obstructions to such a distance!

How discomposed must things be in each country for want of seasonable resolution, hanging suspense till information do travel to Rome, and termination come back thence<sup>10</sup>!

<sup>8</sup> P. Alex. II. Ep. XII. ad Gerv. Rhem. Arch. Bin. Tom. VII.  
<sup>10</sup> 284. [c. 1 E.] [Mans. Conc. Tom. XIX. col. 952 c.]

<sup>9</sup> Tanta me quippe occupationum onera deprimit, ut ad suum animus nullatenus erigatur, &c.—Greg. M. Ep. I. 26. [Opp. n. II. p. 516 c.] Cf. Epp. V. VII. *Such a weight of employment  
presses me down, that my mind can by no means be raised to things above.*

<sup>10</sup> Si administratio illius temporis mare fuit, quid de praesenti  
dato dicendum erit?—Calv. Inst. IV. 7. [§ 22.] *If the ordering*

How difficult, how impossible will it be for him there to receive faithful information or competent testimony, whereupon to ground just decisions of causes!

How will it be in the power thence of any malicious and cunning person to raise trouble against innocent persons! for any like person to decline the due correction laid on him, by transferring the cause from home to such a distance!

How much cost, how much trouble, how much hazard, must parties concerned be at to fetch light and justice thence!

Put case a heresy, a schism, a doubt or debate of great moment should arise in China; how should the gentleman in Italy proceed to confute that heresy, to quash that schism, to satisfy that doubt to determine that cause! how long must it be, even he can have notice thereof! to how many cross accidents of weather and way must the transmitting of information be subject! how difficult will it prove, to get a clear and sure knowledge concerning the state of things!

How hard will it be to get the opposite parties to appear, so as to confront testimonies and probabilities requisite to a fair and just decision! how shall witnesses of infirm sex or age ramble so far! how easily will some of them prepossess and abuse him with false suggestions and misrepresentations of the case! how slippery therefore will the result be, and how prone he to award a wrong sentence<sup>k</sup>!

*of affairs in those times was a boundless sea, what shall we say of the present papacy?*

<sup>k</sup> *Nunquid mirandum est de tam longinquis terris Episcoporum*

How tedious, how expensive, how troublesome, how vexatious, how hazardous, must this course be to all parties! Certainly causes must needs proceed slowly, and depend long<sup>1</sup>; and in the end the resolution of them must be very uncertain.

What temptation will it be for any one (how justly soever corrected by his immediate superiors) to complain; hoping thereby to escape, to disguise the truth, &c.; who being condemned will not appeal to one at a distance, hoping by false suggestions to delude him! This necessarily will destroy all discipline, and induce impunity or frustration of justice<sup>m</sup>.

Certainly much more convenient and equal it should be, that there should be near at hand a sovereign power, fully capable, expediteley and seasonably to compose differences, to decide causes,

*tuos impune tibi narrare quod volunt?*—Aug. contra Crescon. III. 34. [Opp. Tom. IX. col. 454 f.] *What marvel if the Bishops from so remote countries tell you what they please without check or control?*

<sup>1</sup> *De lungas vias luengas mentiras.*—Hisp. Prov.

Vid. Conc. Basil. Sess. XXXI. [Bin. Tom. VIII. p. 86.] [Mans. Cone. Tom. XXIX. col. 159.]

<sup>m</sup> Vid. Bernard. Ep. CLXXVIII. [ad P. Innoc. Opp. Tom. I. p. 77.] *Vox una omnium qui fideli apud nos cura populis præsunt, justitiam in Ecclesia deperire, &c.*—Causam referunt ad vos, Curiusque Romanam. *Recte gesta ab ipsis (ut aiunt) destruitis, juste destruta statuitis.* Quique flagitiosi et contentiosi de populo, sive de Clero, aut etiam ex Monasteriis pulsati currant ad vos, redeantes, jactant et gestiunt se obtinuisse tutores, quos magis ultores sensisse debuerant, &c.]

De Consid. [Lib. III. 2. Opp. Tom. IV. p. 10.]—Appellatur ad eam, ut dixi, et utinam tam fructuose quam necessarie. Utinam cum oppressus clamat, sentiat oppressor, et non superbiat impius, unde nescienditur pauper. Quid tam decorum, ut ad invocationem tui dominis oppressi effugiant, versuti non refugiant? Quid e regione tam perversum, tam recti alienum, ut lætetur qui malum fecit; tam qui talit, inaniter fatigetur? &c.]

to resolve doubts, to settle things, without more stir and trouble.

Very equal it is, that laws should rather be framed, interpreted, and executed in every country, with accommodation to the tempers of the people, to the circumstances of things, to the civil state there, by persons acquainted with those particulars, than by strangers ignorant of them, and apt to mistake about them<sup>n</sup>.

How often will the Pope be imposed upon, as he was in the case of Basilides, of whom St Cyprian saith, *Going to Rome he deceived our colleague Stephen, being placed at distance, and ignorant of the fact, and concealed truth, aspiring to be unjustly restored to the bishopric, from which he was justly removed<sup>o</sup>.*

As he was in the case of Marcellus, who gulled Pope Julius by fair professions, as St Basil doth often complain<sup>p</sup>.

As he was in aiding that versatile and troublesome Bishop, Eustathius of Sebastia, to the recovery of his Bishopric<sup>q</sup>.

<sup>n</sup> Deinde vero quod inter tantam hominum multitudinem ad eum pauci sunt Episcopi, et amplae singulorum parochiae, ut in subjectis pleibus curam Episcopalis officii nullatenus exequi, aut rite administrare valeant.—P. Greg. VII. Ep. ii. 73. [Bin. Tom. vii. p. 369 ε. And then because in so great a multitude of people there are so few Bishops, and every one's diocese very large, that they are in no wise able to execute or rightly perform the charge of the Episcopal office among the people over whom they are set.

<sup>o</sup> Romam pergens Stephanum collegam nostrum longe posuit, et gestas rei, ac tacitas veritatis ignorantia sefellit, ut exambiret reponi se injuste in Episcopatum, de quo fuerat juste depositus.—Ep. LXVIII. [Opp. p. 119.]

<sup>p</sup> Ἐκεῖνα ποιῶσιν νῦν, ἃ πρότερον ἐπὶ Μαρκέλλῳ· πρὸς μὲν τοὺς τὴν ἀλήθειαν αὐτοῖς ἀπαγγέλλοντας φιλονεκήσαντες, &c.—Bas. Ep. cccxxxix. [Opp. Tom. iii. p. 368 ε.]

<sup>q</sup> Id. Epp. cccxvi. cccxlii.

As he was in rejecting the man of God, and most admirable Bishop, Meletius<sup>1</sup>; and admitting scandalous reports about him, which the same saint doth often resent; blaming sometimes the fallacious misinformation, sometimes the wilful presumption, negligence, pride of the Roman Church in the case<sup>2</sup>.

As he was in the case of Pelagius and Celestius, who did cajole Pope Zosimus<sup>3</sup> to acquit them, to condemn Eros and Lazarus their accusers, to reprove the African Bishops for prosecuting them.

How many proceedings should we have like to that of Pope Zosimus I. concerning that scandalous priest, Apiarius<sup>4</sup>; whom, being for grievous crimes excommunicated by his Bishop, that Pope did admit to communion, and undertake to patronise; but was baffled in his enterprise.

This hath been the sense of the Fathers in the case; St Cyprian therefore saith, that *Seeing it was*

<sup>1</sup> Τοῦ ἀνθρώπου τοῦ Θεοῦ Μελετίου——τὸν θαυμασιώτατον ἐπι-  
σκοπὸν τῆς ἀληθινῆς τοῦ Θεοῦ ἐκκλησίας Μελέτιου——.—Id. Ep.  
ccxlv. [Opp. Tom. III. p. 321 B.]

<sup>2</sup> Οἱ μὲν γὰρ ἀγνοοῦσι παντελῶς τὰ ἐνταῦθα· οἱ δὲ καὶ δοκοῦντες  
ιδέας, φιλονεικότερον μᾶλλον ἡ ἀληθέστερον αὐτοῖς ἐξηγοῦνται.—Ibid.  
Some are altogether ignorant of what is here done; others who think  
they know them, declare them unto us more contentiously than truly.

<sup>3</sup> Ἐλύπει ἡμᾶς, λέγων τοῖς Ἀρειομανίταις συγκατηθμῆσθαι τοὺς θεο-  
φιλεστάτους ἀδελφοὺς, ἡμῶν τοὺς συλλειτουργοὺς Μελέτιον καὶ Εὐσέ-  
βιον.—Id. Ep. cclxvi. Opp. Tom. III. p. 413 A.] *He grieved us when  
he said, that our godly brethren, Meletius and Eusebius, were reckoned  
among the Arians.*

<sup>4</sup> Ποια βοήθεια ἡμῖν τῆς δυτικῆς ὁφρύος; οἱ τό γε ἀληθὲς οὐτε Ἰσαοῖς,  
οὐτε μαθεῖν ἀνέχονται.—Id. Ep. ccxxxix. [Opp. Tom. III. p. 368 D.]  
*What help can we have from the pride of the Westerns, who neither  
know the truth, nor endure to learn it?*

<sup>1</sup> P. Zos. I. Epp. III. IV. [Bin. Tom. I. pp. 875 et seqq.] [Mans.  
Conc. Tom. IV. col. 350 et seqq.]

<sup>2</sup> [Bin. Tom. I. pp. 925 E, 873 E.]

*a general statute among the Bishops, and that it was both equal and just that every one's cause should be heard there, where the crime was committed; and that each pastor had a portion of the flock allotted to him, which he should rule and govern, being to render unto the Lord an account of his doing<sup>x</sup>.* St Chrysostom thought it improper that one out of Egypt should administer justice to persons in Thrace<sup>y</sup>. (And why not, as well as one out of Italy?) The African Synod thought the Nicene Fathers had provided most prudently and most justly that all affairs should be finally determined there where they did arise<sup>z</sup>. They thought a transmarine judgment could not be firm, because the necessary persons for testimony, for the infirmity of sex or age, or for many other infirmities, could not be brought thither<sup>a</sup>.

<sup>x</sup> [Nam cum statutum sit ab omnibus nobis, et aequum sit parit ac justum, ut uniuscujusque causa illuc audiatur ubi est crimen missum, et singulis pastoribus portio gregis sit adscripta, quare regat unusquisque et gubernet, rationem sui actus Domino redditurus.—Ep. LV. Opp. p. 86.]

<sup>y</sup> Οὐδὲ γὰρ ἀκόλουθον ἦν τὸν ἐξ Αἰγύπτου τοῖς ἐν Θράκῃ δικίαιον. —Chrys. Ep. CXXII. ad P. Innoc. I. Opp. Tom. VII. p. 155.

Εἰ γὰρ τοῦτο κρατήσει τὸ ἔθος, καὶ ἐξὸν γένοντο τοῖς βουλομένοις, εἰς ἀλλοτρίας ἀπίεναι παροικίας ἐκ τοσούτων διαστημάτων, καὶ ἐκβάλλειν τὸς ἀν ἐθέλοι τις, κατ' ἔχοντιν ιδιαν πράγματας, ἀπερ ἀν ἐθέλων. Τοτε ὅτι πάντα οἰχήσεται, &c.—[Ibid. p. 157.] For if this custom prevail, and if they that will may go to other men's dioceses at so great a distance, and eject whom any man pleases, know that all will go to wrack, &c.

<sup>z</sup> Decreta Nicena sive inferioris gradus clericos, sive ipsos Episcopos, suis Metropolitanis apertissime commiserunt. Prudissime enim, justissimeque providerunt, quæcunque negotia in suis locis, ubi orta sunt, finienda.—Ep. Conc. Afric. ad P. Celest. I. (in fine Cod. Can. Eccl. Afric.) [Bin. Tom. I. p. 980 B.] [Manu. Conc. Tom. IV. col. 516 A.]

<sup>a</sup> Aut quomodo ipsum transmarinum judicium ratum erit, quod testium necessariae personæ vel propter sexus, vel propter

Pope Leo himself saw how dilatory this course would be; and that longinquity of region doth cause the examination of truth to become over dilatory<sup>b</sup>.

Pope Liberius for such reasons did request Constantius, that Athanasius's cause should be tried at Alexandria; where—*He, saith he, that is accused, and the accusers are, and the defender of them; and so we may, upon examination had, agree in our sentence about them*<sup>c</sup>. Therefore divers ancient Canons of Synods did prohibit, that any causes should be removed out of the bounds of provinces or dioceses<sup>d</sup>; as otherwhere we shew.

2 Such an authority, as this pretence claimeth, must necessarily (if not withheld by continual miracle) throw the Church into sad bondage. All the world must become slaves to one city, its wealth must be derived thither, its quiet must depend on it; for it (not being restrained within **ny** bounds of place or time, having no check upon

**ne**ctutis infirmitatem, multis aliis intercurrentibus impedimentis, **duci** non poterunt?—Ibid.

**b** Ne ergo (quod inter longinas regiones accidere solet) in **mis** dilations tenderent veritatis examina—.—Ep. **LXXI.** [Pp. Tom. I. p. 1012.]

**c** Τότε επὶ τὴν Ἀλεξανδρίων οἱ πάντες ἀπαντήσαντες ἦνθα δ ἐγκαλού-  
τοι καὶ οἱ ἐγκαλούντες εἰσι, καὶ δ ἀπιπούμενος αὐτῶν, ἐξετάσαντες  
επὶ αὐτῶν συμπεριενεχθῶμεν.—Theodor. Eccl. Hist. II. 13. [Opp. **III.** p. 608 c.]

**d** Inoleverunt autem hactenus intolerabilium vexationum abusus  
multi, dum nimium frequenter a remotissimis etiam partibus  
Romanam Curiam, et interdum pro parvis et minutis rebus  
negotis quamplurimi citari ac evocari consueverunt, &c.—  
Eccl. Bas. Sess. **XXXI.** apud Bin. Tom. **VIII.** p. 86, [c. 1 c.] [Mans. **XXXIX.** col. 159 b.] *But hitherto very many intolerable vex-  
ious abuses have prevailed, while too often men have been used to be  
led and called out even from the remotest parts to the court of Rome,  
and sometimes for slight and trivial businesses and occasions.*

it of equal or co-ordinate power, standing upon Divine institution, and therefore immutably settled) must of its own nature become absolute and unlimited<sup>o</sup>.

Let it be however of right limited by divine laws or human canons, yet will it be continually encroaching, and stretching its power, until it grows enormous and boundless. It will not endure to be pinched by any restraint. It will draw to itself the collation of all preferments<sup>l</sup>, &c. It will assume all things to itself, trampling down all opposite claims of right and liberty; so that neither pastor nor people shall enjoy or do any thing otherwise than in dependence on it, and at its pleasure. It will be always forging new prerogatives<sup>g</sup>, and interpreting all things in favour of them, and enacting sanctions to establish them; which none must presume to contest. It will draw to itself the disposal of all places; the exaction of goods. All princes must become its ministers and executors of

<sup>o</sup> *Privilegia inquam istius Sedis vel Ecclesiae perpetua sunt; distinctiones radicatae atque plantatae sunt; immixtæ non sunt; transversæ*

decrees<sup>b</sup>. It will mount above all law and rule; it only challenging to be uncontrollable and uncontrollable, but not enduring any reproof of its proceedings, or contradiction of its dictates: a blind faith must be yielded to all its assertions, as infallibly true; and a blind obedience to all its decrees, as unquestionably holy: whosoever shall anywise cross it in word or deed, shall certainly be disownanced, condemned, ejected from the Church<sup>i</sup>; that the most absolute tyranny that can be imagined will ensue; all the world hath groaned and heavily complained of their exactions, particularly our poor nation; it would raise indignation any man to read the complaints<sup>k</sup>.

This is consequent on such a pretence, according to the very nature of things; and so in experience it hath happened<sup>l</sup>. For it is evident, that the Papacy hath devoured all the privileges and rights of all orders in the Church, either granted by God, or established in the ancient Canons<sup>m</sup>.

<sup>b</sup> So they pretend.—Conc. Later. IV. (sub Innoc. III.) Hist. eccl. Trid. p. 60.

<sup>i</sup> Sitque alienus a Divinis et pontificalibus officiis, qui noluitceptis Apostolicis obtemperare.—Greg. IV. apud Grat. Dist. xix. - 5. [Corp. Jur. Can. Tom. I. p. 25.] *And let him have nothing at all to do with Divine and Pontifical offices, who would not obey stolical precepts.*

<sup>m</sup> Oportet autem gladium esse sub gladio, et temporalem auctoritatem spirituali subjici potestati.—Bonif. VIII. Extrav. Com. - I. Tit. viii. 1. [Corp. Jur. Can. Tom. II. p. 394.] *But there must be a sword under a sword, and temporal authority subject to spiritual.*

<sup>k</sup> Vide Matt. Paris. [Epist. Univers. Angliæ super extortionibus reis Roman. pp. 666—668.]

<sup>l</sup> — che sia piu ufficio de Pontefici, aggiungere con l'armi, col sangue de Christiani, imperio alla Sedia Apostolica, &c.—Incc. XI. p. 858.

<sup>m</sup> Quid hodie erant Episcopi, nisi umbra quedam? quid plus

The Royalties of Peter are become imm  
and, consistently to his practice, the Pope  
allow men to tell him to his face, *That all pow  
heaven and in earth is given unto him*<sup>n</sup>.

It belongeth to him to judge of the  
Church<sup>o</sup>. He hath a plenitude (as he calle  
of power<sup>p</sup>, by which he can infringe any law,  
any thing that he pleaseth. It is the tenor  
Bulls, *That whoever rashly dareth to thwart h  
shall incur the indignation of Almighty God*  
(as if that were not enough) *of St Peter and St*  
*also*. No man must presume to tax his faul  
to judge of his judgment<sup>q</sup>. It is idolatry to  
obey his commands<sup>r</sup>, against their own sove

eis restabat quam baculus et mitra? &c.—Æn. Sylv. de Gest  
Bas. Lib. I. [p. 30. Editio sine loco a. a.] *What were Bisho  
but a kind of shadows? what had they left more than a staf  
mitre? &c.*

<sup>n</sup> [See p. 8 of this treatise.]

<sup>o</sup> Conc. Lat. v. Sess. xi. p. 129.

Cuncta per mundum novit Ecclesia, quoniam quorumlib  
tentis ligata Pontificum, Sedes Beati Petri Apostoli jus  
resolvendi; utpote quæ de omni Ecclesia fas habeat judican  
—P. Gelas. I. apud Grat. Caus. ix. Qu. 3. cap. 18. [Corp. Ju  
Tom. I. p. 211.]

lord. There are who dare in plain terms call him omnipotent, and who ascribe infinite power to him. And that he is infallible is the most common and plausible opinion: so that at Rome the contrary is erroneous, and within an inch of being heretical<sup>1</sup>. We are now told, that *If the Pope should err by enjoining vices or forbidding virtues, the Church should be bound to believe vices to be good, and virtues evil, unless it would sin against conscience*<sup>2</sup>.

The greatest princes must stoop to his will; otherwise he hath power to cashier and depose them.

Now what greater inconvenience, what more horrible iniquity can there be, than that all God's people (that *free people*, who are *called to freedom*) <sup>Gal. v. 1.</sup> <sup>13.</sup> should be subject to so intolerable a yoke and <sup>1 Pet. ii. 16.</sup> miserable a slavery?

That tyranny soon had crept into the Roman Church Socrates<sup>3</sup> telleth us.

They have rendered true that definition of Scioppius: *The Church is a stall, or herd, or multitude of beasts, or asses<sup>4</sup>. They bridle us, they*

*et irrefragabiliter observandum est.—P. Steph. [c. an. 818.] apud Great. Dist. xix. cap. 4. [Corp. Jur. Can. Tom. i. p. 24.] Whatever he decrees, whatever he ordains, must always and inviolably be observed by all.*

<sup>1</sup> *Erronea, et hæresi proxima.*—Bell. de S. Pont. iv. 2. [§ 10.]

<sup>2</sup> *Si autem papa erraret præcipiendo virtutia, vel prohibendo virtutes, teneretur Ecclesia credere, virtutia esse bona, et virtutes mala, nisi vellet contra conscientiam peccare.*—Bell. de S. Pont. iv. 5. [§ 8.]

<sup>3</sup> *Socrat. Eccl. Hist. vii. 11.*

*Ex hoc enim infinite seuti sunt errores, quia Papa occupavit omnia jura inferiorum Ecclesiarum; ita quod inferiores prelati sunt pro nibilo.*—Card. Zab. de Sch. Innoc. VII. p. 560. *The Pope hath invaded all the rights of inferior Churches, so that all inferior prelates are nothing set by.*

<sup>4</sup> *Ecclesia est mandra sive gressus aut multitudine jumentorum sive asinorum.*—Eccl. cap. 147. [Summ. Ecclesiastici, Parabola Tertia.]

*harness us, they spur us, they lay yokes and law upon us<sup>3</sup>.*

The greatest tyranny that ever was invented in the world is the pretence of infallibility: for Dionysius and Phalaris did leave the mind free, (pretending only to dispose of body and goods according to their will:) but the Pope, not content to make us do and say what he pleaseth, will have us also to think so; denoucing his imprecations and spiritual menaces, if we do not.

3 Such an authority will inevitably produce a depravation of Christian doctrine, by distorting it in accommodation of it to the promoting its designs and interests. It will blend Christianity with worldly notions and policies. It certainly will introduce new doctrines, and interpret the old ones so as may serve to the advancement of the power, reputation, pomp, wealth, and pleasure, of those who manage it, and of their dependents. That

<sup>2 Cor.ii.17.</sup> which is called *καπηλεύειν τὸν λόγον τοῦ Θεοῦ*, to make a trade of Religion, will be the great work of the teachers of the Church. It will turn all divines into mercenary slavish desirous flatterers<sup>2</sup>

ith God and angels, modelled to a system of politic devices, (of notions, of precepts, of rites,) tending to exalt and enrich the Pope, with his court and adherents, clients and vassals.

What doctrine of Christian theology, as it is interpreted by their Schools\*, hath not a direct respect, or doth not squint that way? especially according to the opinions passant and in vogue among them. To pass over those concerning the Pope, (his universal pastorship, judgeship in controversies, power to call Councils, presidency in them, superiority over them; right to confirm or annull them; his infallibility; his double sword, and dominion, direct or indirect, over princes; his dispensing in laws, in oaths, in vows, in matrimonial cases, with all other the monstrous prerogatives, which the sound Doctors of Rome, with encouragement of that Chair, do teach ;)

What doth the doctrine concerning the exempting of the clergy from secular jurisdiction, and immunity of their goods from taxes signify, but their entire dependence on the Pope, and their being closely tied to his interests?

What is the exemption of monastical places from the jurisdiction of Bishops, but listing so many soldiers and advocates to defend and advance the Papal empire?

What meaneth the doctrine concerning that middle region of souls, or cloister of Purgatory, whereof the Pope holdeth the keys; opening and shutting it at his pleasure, by dispensation of pardons and indulgences; but that he must be

\* *Pasce, id est, regio more impera. Ecce duos gladios. Oravi deficeret.*

master of the people's condition, and of their purse?

What meaneth the treasure of merits and supererogatory works, whereof he is the steward, but a way of driving a trade, and drawing money from simple people to his treasury?

Whither doth the entangling of folks in perpetual vows tend, but to assure them in a slavish dependence on their interests, eternally, without evasion or remedy; except by favourable dispensation from the Pope?

Why is the *opus operatum* in Sacraments taught to confer grace, but to breed a high opinion of the priest, and all he doth?

Whence did the monstrous doctrine of Transubstantiation (urged with so furious zeal) issue, but from design to magnify the credit of those, who by saying of a few words can make our God and Saviour? and withal to exercise a notable instance of their power over men, in making them to renounce their reason and senses?

Whither doth tend the doctrine concerning the Mass being a propitiatory sacrifice for the dead, but to engage men to leave in their wills good sums to offer in their behalf?

Why is the cup withholden from the laity, but to lay it low by so notable a distinction, in the principal mystery of our Religion, from the priesthood?

Why is saying private Mass (or celebrating the communion in solitude) allowed, but because priests are paid for it, and live by it?

At what doth the doctrine concerning the necessity of auricular confession aim, but that thereby

Why may priests have a mighty awe on the consciences of all people, may dive into their secrets, may manage their lives as they please?

And what doth a like necessary particular abolition intend, but to set the priest in a lofty state authority above the people, as a judge of his creation and dispenser of his salvation?

Why do they equal ecclesiastical traditions with scripture, but that on the pretence of them they may obtrude whatever doctrines advantageous to their designs?

What drift hath the doctrine concerning the infallibility of Churches or Councils, but that, when opportunity doth invite, he may call a company of Bishops together to establish what he liketh, which ever after must pass for certain truth, to be contradicted by none; so enslaving the minds of all men to his dictates, which always suit to his interest.

What doth the prohibition of Holy Scripture leave at, but a monopoly of knowledge to themselves, or a detaining of people in ignorance of their duty; so that they must be forced to rely on them for direction, must believe all they say, and blindly submit to their dictates; being unable to detect their errors, or contest their opinions?

Why must the Sacraments be celebrated, and public devotions exercised, in an unknown tongue, so that the priests may seem to have a peculiar interest in them, and ability for them?

Why must the priesthood be so indispensably bidden marriage, but that it may be wholly unknocked from the state, and rest addicted to him,

and governable by him ; that the persons and wealth of priests may be purely at his devotion ?

To what end is the clogging Religion by multiplication of ceremonies and formalities, but to amuse the people, and maintain them in a blind reverence toward the interpreters of the dark mysteries couched in them<sup>b</sup> ; and by seeming to encourage an exterior shew of piety (or form of godliness) to gain reputation and advantage whereby they might oppress the interior virtue and reality of it, as the Scribes and Pharisees did although with less designs ?

Why is the veneration of images and relics the credence of miracles and legends, the undertaking of pilgrimages and voyages to Rome, and other places, more holy than ordinary ; sprinklings of holy water, consecrations of baubles, (with innumerable foppish knacks and trinkets,) so cherished but to keep the people in a slavish credulity and dotage, apt to be led by them whither they please by any sleeveless pretence, and in the meanwhile to pick various gains from them by such trade ?

What do all such things mean, but obscuring the native simplicity of Christianity, whereas it being represented intelligible to all men, would derogate from that high admiration, which these men pretend to from their peculiar and profound wisdom ? And what would men spend for these toys, if they understood they might be good Christians, and get to heaven without them ?

What doth all that pomp of Religion serve for but for ostentation of the dignity of those who administer it ? It may be pretended for the honour

<sup>b</sup> Vid. Sleid. p. 673.

of Religion, but it really conduceth to the glory of the priesthood, who shine in those pageantries.

Why is Monkery (although so very different from that which was in the ancient times) so cried up as a superlative state of perfection, but that it filleth all places with swarms of lusty people, who are vowed servants to him, and have little else to do but to advance that authority by which they subsist in that dronish way of life?

In fine, perusing the controversies of Bellarmine, or any other champion of Romanism, do but consider the nature and scope of each doctrine maintained by them; and you may easily discern, that scarce any of them but doth tend to advance the interest of the Pope, or of his sworn vassals. Whereas, indeed, our Lord had never any such design, to set up a sort of men in such distance above their brethren; to perk over them, and suck them of their goods by tricks. He only did charge people to allow their pastors a competent maintenance for a sober life, with a moderate respect, as was needful for the common benefit of God's people; whom they were, with humility and meekness, to instruct and guide in the plain and simple way of piety.

This is a grievous inconvenience; there being nothing wherein the Church is more concerned, than in the preservation of its doctrine pure and incorrupt from the leaven of hurtful errors, influential on practice.

4 The errors in doctrine, and miscarriages in practice, which this authority in favour to itself would introduce, would be established immoveably, to the irrecoverable oppression of truth and piety;

any reformation becoming impossible while it standeth, or so far as it shall be able to oppose and obstruct it.

While particular Churches do retain their liberty, and pastors their original co-ordination in any measure, if any Church or Bishop shall offer to broach any novel doctrine or practice of bad import, the others may endeavour to stop the settlement or progress of them; each Church at least may keep itself sound from contagion.

But when all Churches and Bishops are reduced into subjection to one head, supported by the guards of his authority, who will dare to contest, or be able to withstand, what he shall say or do? It will then be deemed high presumption, contumacy, rebellion, to dissent from his determinations, how false soever, or tax the practices countenanced by him, however irregular and culpable. He will assume to himself the privilege not to be crossed in any thing; and soon will claim infallibility, the mother of incorrigibility. No error can be so palpable, which that authority will not protect and shroud from confutation; no practice so enormous, which it will not palliate, and guard from reproof. There will be legions of mercenary tongues to speak, and stipendiary pens to write, in defence of its doctrines and practices; so that whoever will undertake to oppose it shall be voted down and overwhelmed with noise, and shall incur all the discouragement and persecution imaginable. So poor truth will become utterly defenceless, wretched virtue destitute of succour or patronage.

This is so in speculation, and we see it confirmed by experience: for when from the influence

of this power (as Pope Adrian VI. did ingenuously confess<sup>c</sup>) an apparent degeneracy in doctrine, in discipline, in practice, had seized on Christendom, all the world feeling it, and crying out loudly for reformation, yet how stiff a repugnance did the adherents to this interest make thereto! with what industry and craft did Popes endeavour to decline all means of remedy! What will not this party do rather than acknowledge themselves mistaken or liable to error? what palliations, what shifts, do not they use? what evidence of light do they not outface<sup>d</sup>?

5 The same will induce a general corruption of manners.

For the chief clergy partaking of its growth, and protected by its interest, (reciprocally supporting it, and being sheltered by it from any curb or control,) will swell into great pride and haughtiness; will be tempted to scrape and hoard up wealth by rapine, extortion, simony; will come to enjoy ease and sloth; will be immersed in sensuality and luxury, and will consequently neglect their charge. The inferiors will become enamoured and ambitious of dignity, and will use all means and arts to attain it<sup>e</sup>. Thence emulation, discord,

<sup>c</sup> Sleid. Lib. iv. p. 82. Lib. xii. p. 322. Hist. Conc. Trid. p. 24.  
Riv. in Castig. Notar. [Opp. Tom. iii.] fol. 525, c. 2. [Ex parte autem vitiatu morbum defluxisse agnovit Hadrianus VI. pontifex. Epist. ad Principes Germanie. Scimus, inquit, in hac nostra Sede multa abominanda fuisse; abusus in spiritualibus, excessus in mandatis, et omnia in perversum mutata. Aegritudo haec capite in membra, a summis Pontificibus in alios descendit.]

<sup>d</sup> Centum gravamina.

<sup>e</sup> Vid. ipsum Greg. VII. Ep. l. 42. [Bin. Tom. vii. p. 326.]  
Mans. Conc. Tom. xx. col. 94 d. Sacerdotes autem, et qui regimen Ecclesiae accepisse videntur, legem Dei fere penitus postponentes,

sycophantry will spring. Thence all ecclesiastical offices will become venal<sup>1</sup>; to be purchased by bribes, flattery, favour. The higher ranks will become fastuous, supercilious, and domineering. The lower will basely crouch, cog.

What then must the people be, the guides being such? Were such guides like to edify the

et officii sui debitum Deo et commissis sibi ovibus subtrahentes, per Ecclesiasticas dignitates ad mundanam tantum nituntur gloriam, et quæ speciali dispensatione multorum utilitatibus, et saluti proficere debuissent, ea aut negligunt, aut infeliciter in pompa superfluis sumptibus consumunt.] II. 45. [Bin. p. 357.] [Mane. col. 158.]

See the description of them in S. Bernard. in Cant. Serm. XXXII. [Opp. Tom. III. pp. 61—2. Serpit hodie putida tabes per omne corpus Ecclesie, et quo latius, eo desperatius; eoque periculosis, quo interius. — Ministri Christi sunt et servient Antichristo. Honorati incedunt de bonis Domini, qui Domino honorem non deferunt. Inde is quem quotidie vides meretricius nitor, histrionicus habitus, regius apparatus; inde aurum in frenis, in sellis et calcaribus, et plus calcaria quam altaria fulgent. Inde splendidæ mensæ et cibis et scyphis, inde comedationes et ebrietates, inde cithara et lyra et tibia, inde redundantia torcularia, et promptuaria plena eructantia ex hoc in illud. Inde dolia pigmentaria, inde referta marsupia. Pro hujusmodi volunt esse, et sunt Ecclesiarum Prepositi, Decani, Archdiaconi, Episcopi, Archiepiscopi.] — Videl Guicciard. in Suppl.

<sup>1</sup> Alvar. Pelag. in Rivet. Castig. Notar. cap. viii. [Opp. B. Tom. III. fol. 520, c. 2. Audi Alvarum Pelagium de Planctu Ecclesie Lib. II. Art. vii. fol. 102, c. 3. Petrus Cephas Ecclesie caput. Aurum et argentum non est mihi. Praelatus hodie quilibet dicit aurum et argentum est mihi; sed non est ei quod sequitur: *Ex nomine Christi, surge et ambula.* Perge Alvare, vere hodie quilibet quasi praelatus coopertus est auro et argento, et omnis spiritus non est in visceribus ejus, quia Idolum est pastor hodie.—Aurum tollunt clerici, sed non faciunt inde coronam Jesu.—Paulus Act. xx. Argentum et aurum, aut vestem nullius concupivi vos ipsi scitis. Utinam non fuerit mortis occasio a Constantino data corona ex aurum purissimo Ecclesie Sacrosanctæ, in abutentibus hac corona. Omnes de Saba veniunt, hoc est de terra Orientali ubi nascitur aurum optimum, aurum non thus deferentes ad Romanam Curiam eum plumbum reportantes. Plus ponderat aurum quod datur pro ipso plumbio, quam ipsum plumbum.]

people by their doctrine? Were they not like to damnify them by their example<sup>g</sup>?

That thus it hath happened experience doth shew, and history doth abundantly testify. This was soon observed by a Pagan Historian, Ammianus Marcellinus<sup>h</sup>: by St Basil, ὁφρος δοτικη<sup>i</sup>.

What mischief this, what scandal to Religion, what detriment to the Church, what ruins of souls produceth is visible.

The descriptions of Rome and of that Church, Mantuan, do in a lively manner represent the great degeneracy and corruptions of it.

6 This authority, as it would induce corruption in manners, so it would perpetuate it; and render the state of things incorrigible.

For this head of the Church, and the supporters of his authority, will often need reformation, but never will endure it.

That will happen of any Pope, which the Fathers of Basil complained of in Pope Eugenius<sup>k</sup>.

<sup>g</sup> Vid. Bern. Convers. S. Paul. Serm. i. [Opp. Tom. ii. fol. 126, 2. *Ut populus, sic sacerdos*; quia nec sic populus, ut sacerdos. 3. heu, Domine Deus, quia ipsi sunt in persecuzione tua primi, videntur in Ecclesia tua primatum diligere, gerere principatum! 4. cum Sion occupaverunt, apprehenderunt munitiones, et universa deinceps libere et potestate tradunt incendio civitatem. 5. etera eorum conversatio, plebis tuae miserabilis subversio est, &c.]

<sup>h</sup> [Lib. xxvii. 3. 14.]

<sup>i</sup> Ep. ccxxxix. [Opp. Tom. iii. p. 368 d.]

<sup>k</sup> — Nulla unquam monitione, nulla exhortatione induci jam usque tempore potuit, ut aliquam morum emendationem Christo contentem, aut notissimorum abusuum correctionem in Ecclesia facta Dei efficere satageret.—Conc. Bas. Sess. xxvi. Bin. Tom. x. p. 76, [c. 1 c.] [Mans. Conc. Tom. xxix. col. 138 a.] *He could never be brought in this long time by any advice or exhortation, to any to set upon any amendment of errors or correction of the gross abuses in the Holy Church of God.*—Vid. Sess. xxxi. n. p. 89. [Mans. col. 159.]

If the Pope would, (as Pope Adrian VI.<sup>1</sup>) y<sup>e</sup> he will not be able to reform; the interests of h<sup>e</sup> dependents crossing it.

If there hath happened a good Pope, who d<sup>s</sup>ired to reform; yet he hath been ridiculous wh<sup>e</sup> he endeavoured it; and found it impossible to reform even a few particulars in his own house, t<sup>h</sup> incorrigible Roman court.

The nature and pretended foundation of t<sup>h</sup> spiritual authority doth encourage it with insuperable obstinacy to withstand all reformation: t<sup>h</sup> whereas, if any temporal power doth grow intolerable, God's providence by wars and revolutions state may dispense a redress, they have prevent this by supposing, that in this case God hath ti his own hands; this authority being immovably fixed in the same hands, from which no revoluti can take it: whence from its exorbitances t<sup>h</sup> can be no rescue or relief.

7 This authority will spoil him in whom it seated; corrupting his mind and manners; rending him a scandal to Religion, and a pernicious instrument of wickedness, by the influence of l<sup>e</sup> example<sup>m</sup>.

To this an uncontrollable power (bridled wi

<sup>1</sup> Vid. Hist. Conc. Trid. p. 22.

<sup>m</sup> It will certainly render him a tyrant, according to the definition of Aristotle, Pol. iv. 10.

Cui plus licet quam par est, plus vult quam licet.

Quidquid enim ibidem agitur, facile trahitur in exemplu Unde fit ut, languescente capite, reliquum postea corpus mori invadat.—Conc. Bas. Sess. xxxii. Bin. Tom. viii. p. 64. [c. 2: [Mans. Conc. Tom. xxix. col. 113 d.] Whence it comes to pa that if the head be sick, the rest of the body afterwards grows d eased.—Vid. Conc. Bas. Bin. p. 87. Conc. Const. Bin. Tom. vi. p. 1110.

no restraint") and impunity doth naturally tend, and accordingly hath it been.

How many notorious reprobates, monsters of wickedness, have been in that See<sup>o</sup>!

If we survey the lives of Popes, written by historians most indifferent, or (as most have been) partial in favour to them, we shall find, at first good ones, martyrs, confessors, saints: but after this exorbitant power had grown, how few good ones! how many extremely bad<sup>p</sup>! The first Popes before Constantine were holy men: the next were tolerable, while the Papacy kept within bounds of modesty: but when they having shaken off their master, and renounced allegiance to the Emperor (i. e. after Gregory II.) few tolerable; generally

<sup>a</sup> Vid. Dist. XL. cap. 6. [Corp. Jur. Can. Tom. I. p. 53. *Hujus culpas istic redarguere praesumit mortaliū nullus, &c.*]

<sup>b</sup> Pope Marcellus II. doubted whether a Pope could be saved. —Thuan. Lib. xv. (p. 568.) From John VIII. to Leo IX. what a rabble of rake-hells and sots did sit in that chair! —Machiavel, Hist. Lib. XVI. p. 1271. [?] Baron. ann. 912. § 8. [Tom. xv. p. 571. See p. 237 of this treatise (note).]

<sup>c</sup> Vid. Alvar. Pelag. apud Rivet. Cathol. Orthod. [Opp. Tom. III.] fol. 141, c. 2. [Alvarus Pelagius Episcopus Lusitanus, post primorum Romæ Episcoporum laudes, ita de eorum successoribus conquerabatur (De Planctu Eccl. Lib. II. Art. 15). Successerunt jam sunt multa tempora, successores eorum, auctoritate, sed dissimiles sanctitate: Romano Pontificatui se ingerentes, procurantes, utinam ante promotionem non pacientes, convenientes et promittentes, cumulantes absque mensura, parentes ditantes et exaltantes: et consanguineos promoventes, in deliciis viventes, amicos dignificantes, plurimumque alios conculcantes: In Babylonia, id est, Roma, secundum Hieron. turre et palatia sedificantes; Guerras nutritentes, partem tenentes in Italia, cum sit una Ecclesia, bona Ecclesiarum dissipantes, indigos promoventes, in curribus et elephantibus et dextrariis, preciosis vestibus, familia amplissima, militum et Baronum armatorum, et in mundi potentia gloriantes; temporalium dominorum aliquoties terminos invadentes, de salute animalium parum curantes, et quid plura? Quæ carnis sunt sapientes?]

they were either rake-hells, or intolerably arrogant, insolent, turbulent, and ravenous.

Bellarmino and Baronius do bob off this, by telling us, that hence the providence of God is most apparent<sup>q</sup>.

But do they call this preserving the Church; the permission of it to continue so long in such a condition, under the prevalence of such mischiefs! when hath God deserted any people, if not then, when such impiety more than pagan doth reign in it<sup>r</sup>?

But what in the meantime became of those souls which by this means were ruined? what amends for the vast damage which Religion sustained? for the introducing so pernicious customs hardly to be extirpated<sup>s</sup>?

To what a pass of shameless wickedness must things have come, when such men as Alexander VI. having visibly such an impure brood, should be placed in this chair!

<sup>q</sup> Baron. Annal. Eccles. ann. 897. § 5. [Ceterum eti interdu  
deforme valde turpeque contigerit apponi Ecclesiae caput: tol  
dandum tamen fuit ipsi, quod non penitus amens sit inventum, se  
Fide Catholica sibi constans, Dei vero permissione supra cetera  
corporis membra provectum non sine causa vel ratione, sed magis  
sui judicii libramento.—Tom. xv. p. 487.]

It was said of Vespasian, Solus imperantium melior—so ap—<sup>1</sup>  
is power to corrupt men. Solusque omnium ante se principu—<sup>1</sup>  
in melius mutatus est.—Tac. Hist. i. [50.]

<sup>r</sup> How vain is that which Pope Greg. VII. citeth out of Pop—<sup>1</sup>  
Symmachus: B. Petrus perennem meritorum dotem cum hered—<sup>1</sup>  
tate innocentiae misit ad posteros.—Greg. VII. Ep. viii. 21. [Bi—  
Tom. vii. p. 447, c. 1 E.] [Manu. Conc. Tom. xx. col. 336 E.]

<sup>s</sup> Quod Romanus Pontifex, si canonice fuerit ordinatus, merit—<sup>1</sup>  
B. Petri indubitanter efficitur sanctus; was one of Pope Greg—<sup>1</sup>  
VII's dictates.—[Cf. Manu. Conc. Tom. xx. col. 168. See page 339  
of this treatise.] That the Roman Pontiff, if canonically elected, <sup>1</sup>  
undoubtedly made holy by the merits of blessed Peter.

Even after the reformation began to curb their impudence, and render them more wary, yet had they the face to set Paul the Third there.

How unfit must such men be, to be the guides of all Christendom; to breathe oracles of truth, to act laws of sanctity!

How improper were those vessels of Satan to organs of that *Holy spirit of discipline*, which <sup>Wisd. i. 5.</sup> *will flee deceit, and remove from thoughts that are without understanding, and will not abide where righteousness cometh in!*

It will engage the Pope to make the ecclesiastical authority an engine of advancing the temporal concerns of his own relations, (his sons, his nephews.)

What, indeed, is the Popedom now, but a ladder for a family to mount unto great estate<sup>1</sup>? That is it, but introducing an old man into a place, by advantage whereof a family must make money while the sun shines<sup>2</sup>?

8 This pretence, upon divers obvious accounts, apt to create great mischief in the world, to the disturbance of civil societies, and destruction or subtilization of temporal authority, which is certainly God's ordinance, and necessary to the well-being of mankind; so that supposing it, we may in

<sup>1</sup> Vid. Guicciard. Machiav. Hist. Fl. p. 19. Conc. Bas. Sess. <sup>2</sup> apud Bin. Tom. viii. p. 65. [Mans. Conc. Tom. xxix. col. 1.]

<sup>2</sup> —— Cum non ob Religionem, et Dei cultum appetere Pontificatum nostri sacerdotes videantur, sed ut fratrum vel nepotum, familiarium ingluviem et avaritiam expleant.—Plat. in Vit. a. XVI. p. 298. *Whereas our priests seem to desire the Popedom, for Religion and the worship of God, but that they may fill the vening appetite and covetousness of their brethren, or nephews, or familiaris.*

<sup>1 Tim. ii.</sup>  
<sup>1, 2.</sup> vain pray for kings, and all that are in authori  
that we may lead a quiet and peaceable life in  
godliness and honesty.

<sup>Matt. vi.</sup>  
<sup>24.</sup> For suppose the two powers (spiritual and t  
poral) to be co-ordinate, and independent each  
other; then must all Christians be put into t  
perplexed state of repugnant and incompat  
obligations, concerning which our Lord saith,  
*man can serve two masters: for either he will l  
the one, and love the other; or else he will hok  
the one, and despise the other.* They will often d  
several ways, and clash in their designs, in t  
laws, in their decisions; one willing and comma  
ing that which the other disliketh and prohibit

It will be impossible by any certain bound  
distinguish their jurisdiction, so as to prevent a  
test between them<sup>x</sup>; all temporal matters being  
some respect spiritual, (as being referrible to  
ritual ends, and in some manner allied to Religion)  
and all spiritual things becoming temporal, as t  
conduce to the secular peace and prosperity  
of states: there is nothing which each of these pov  
will not hook within the verge of its cognize  
and jurisdiction; each will claim a right to med  
in all things; one pretending thereby to fur  
the good of the Church, the other to secure  
interest of the state: and what end or remedy  
there be of the differences hence arising; th  
being no third power to arbitrate or moderate  
tween them? Each will prosecute its cause by  
advantages; the one by instruments of tempo  
power, the other by spiritual arms of censures &  
curses.

<sup>x</sup> Bell. de S. Pont. v. 6.

And in what a case must the poor people then be! how distracted in their consciences, how divided in their affections, how discordant in their practices! according as each pretence hath influence upon them, by its different arguments or peculiar advantages. How can any man satisfy himself in performing or refusing obedience to either? How many (by the intricacy of the point, and contrary pulling) will be withdrawn from yielding due compliance on the one hand or the other! What shall a man do, while one in case of disobedience to his commands doth brandish a sword, the other thundereth out a curse against him; one threateneth death, the other excision from the Church; both denounce damnation? What animosities and contentions, what discomposures and confusions must this constitution of things breed in every place! and how can a kingdom so divided in itself stand, or not come into desolation?

Such an advantage infallibly will make Popes affect to invade the temporal power. It was the reason which Pope Paschal alleged against Henry IV. because he did *ecclesiæ regnum auferre*.<sup>25</sup>

It is, indeed, impossible that a co-ordination of these powers should subsist; for each will be continually encroaching on the other; each for its own defence and support will continually be struggling and clambering to get above the other: there will

<sup>25</sup> P. Pasch. II. Ep. vii. [ad Robert. Handr. Com.] [Bin. Tom. VII. p. 517, c. 2 r.] [Mans. Conc. Tom. xx. col. 986 d. Nullum Profecto gratius Deo sacrificium offerre poteris, quam si eum impugnes qui se contra Deum erexit, qui Ecclesiæ Dei regnum auferre conatur——.]

never be any quiet, till one come to subsid  
truckle under the other; whereby the sover  
eign of the one or the other will be destroyed. E  
them soon will come to claim a supremacy  
causes, and the power of both swords; and  
side will carry it.

It is, indeed, necessary, that men for a  
continuing possessed with a reverence to the  
siaistical authority, as independent and unce  
lable, it should at last overthrow the tempor  
reason of its great advantages above it; for  
spiritual power doth pretend an establishl  
purely Divine; which cannot by any acciden  
dergo any change, diminutions, or translati  
which temporal dominions are subject: its ]  
therefore being perpetual, irreversible, depe  
immediately of God, can hardly be checked  
never be conquered<sup>2</sup>.

It fighteth with tongues and pens, whic  
the most perilous weapons. It can never be  
armed, fighting with weapons that cannot be  
away, or deprived of their edge and vigour.

It worketh by most powerful considera  
upon the consciences and affections of men,  
pain of damnation, promising heaven, and tl

<sup>2</sup> Vid. Mach. Hist. Flor. p. 18.

— Impeti possunt humanis præsumptionibus, quæ  
sunt judicio constituta, vinei autem quoramlibet potesta  
possunt.—P. Gelas. I. Ep. viii. ad Anast. Imp. [Bin. To  
p. 631 f.] [Mans. Conc. Tom. viii. col. 31 d.]

Cf. P. Fel. III. Ep. i. [Bin. p. 597.] [Mans. Conc. To  
col. 1630 c. Neque putemus, quod quibualibet sit vallati  
culis, unquam pondus vigoris sui, vel censura beatissimi Pe  
auctoritas universalis omittat Ecclesiæ: quæ quanto magis et  
mundi prosperitatibus intepescat, tanto non frangitur, sed  
erudita divinitus, crescit adversus.]

ening hell; which upon some men have an infinite sway, upon all men a considerable influence; and thereby will be too hard for those who only can grant temporal rewards or inflict temporal punishments. It is surely a notable advantage that the Pope hath above all princes, that he commandeth not only as a prince, but as a guide; so that whereas we are not otherwise bound to obey the commands of princes, than as they appear concordant with God's law, we must observe his commands absolutely, as being therefore lawful, because he commandeth them, that involving his assertion of their lawfulness, to which (without further inquiry or scruple) we must submit our understanding, his words sufficiently authorizing his commands for just. We are not only obliged to obey his commands, but to embrace his doctrines.

It hath continual opportunities of conversing with men; and thereby can insinuate and suggest the obligation to obey it, with greatest advantage, in secrecy, in the tenderest seasons.

It claimeth a power to have its instruction admitted with assent: and will it not instruct them for its own advantage? All its assertions must be believed—is not this an infinite advantage?

By such advantages the spiritual power (if admitted for such as it pretendeth) will swallow and devour the temporal; which will be an extreme mischief to the world.

The very pretence doth immediately crop and curtail the natural right of princes, by exempting great numbers of persons (the participants and dependents of this Hierarchy) from subjection to

never h  
truck<sup>1</sup>  
of t  
t<sup>2</sup>  
their wealth, &c.

draining causes from their jurisdictions;  
demanding in their territories, and  
draining people out of them to their judicatories;  
draining influence on their opinion; by draining

To this discourse experience abundantly doth  
yield its attestation; for, how often have the Popes  
thwarted princes<sup>b</sup> in the exercise of their power.  
challenging their laws and administrations as pre-  
judicial to Religion, as contrary to ecclesiastical  
liberty<sup>c</sup>!

Bodin observeth<sup>d</sup>, that if any prince were a heretic, (that is, if the Pope could pick occasion to call him so,) or a tyrant, (that is, in his opinion,) or anywise scandalous, the Pope would excommu-

<sup>a</sup> Non enim volumus aut propter principum potentiam Ecclesiasticam minui dignitatem, aut pro Ecclesiastica dignitate principum potentiam mutilari.—P. Pasch. II. Ep. xxviii. [Bin. Tom. vii. p. 529, c. 1 d. [Manu. Conc. Tom. xx. col. 1010 e.] Cf. Ep. xlii. [p. 529, c. 2 b.] [Mans. col. 1011 c. Nec omnino volumus, aut pro principum potentia, Ecclesiasticam minui dignitatem: aut pro Ecclesiastica dignitate, principum potentiam mutilari, &c.] For we will not that either the Ecclesiastical dignity should be diminished, by reason of the prince's power, or that the prince's power should be curtailed for the Ecclesiastical dignity.

<sup>b</sup> Arietes furiosos, Bell. de S. Pont. v. 7. [§ 20.]

<sup>c</sup> In vain did St Bernard cry, Quid fines alienos invaditis? Quid falcem vestram in alienam messam extenditis? De Consid. Lib. i. [cap. 6. Opp. Tom. iv. fol. 3. c. 1.] Why do you invade other men's territories? Why thrust you your sickle into other men's harvest?

<sup>d</sup> [De la Repub. Liv. i. cap. 9. Mais il est bien certain que s'il y avoit quelquo Prince souverain qui fust tyran ou heretique, ou qui eust faict quelque meschanceté notable, le Pape l' excommunioit, qui estoit la seule occasion de faire revolter les subjects, et armer les autres Princes contre celui qui estoit excommunié: et n'y avoit moyen de rentrer en grace, sinon en se constituant feu dataire de l'Eglise de Romme, et vassel du Pape.—p. 135. Lyon 1580.]

Vid. Tort. Tort. p. 216. Greg. VII. Ep. i. 7.

him; and would not receive him to favour, it upon his acknowledging himself a feudatory to the Pope: so he drew in most kingdoms to depend upon him.

How often have they excommunicated them, and interdicted their people from entertaining communion with them!

How many commotions, conspiracies, rebellions, and insurrections against princes have they raised in several countries<sup>a</sup>!

How have they inveigled people from their alliance! How many massacres and assassinations have they caused! How have they depressed and mortified the temporal power!

Have they not assumed to themselves superiority over all princes? The Emperor himself (the chief of Christian princes) they did call their seal<sup>b</sup>, exacting an oath from them, whereof you have a form in the Canon Law, and a declaration of Pope Clement V. that it is an oath of fealty<sup>c</sup>.

<sup>a</sup> Plat. de Bonif. VIII. p. 467. [Moritur autem hoc modo Bonifacius ille: qui Imperatoribus, Regibus, Principibus, Nationibus, nullis, terrorem potius quam Religionem injicere conabatur, quidare regna et auferre, pellere homines ac reducere pro arbitrio sui conabatur.]

Non tamen sine suspicione, quod illorum temporum Pontifices, bella extinguere, discordias tollere debuissent, suscitarent ea non atque nutritur.—Episc. Modrus. in Conc. Lat. v. Sess. VI. 2. Tom. IX. p. 72. c. 2 A.] Not without suspicion, that the Popes those times, who ought to have extinguished wars, and put an end to dissensions, did rather raise them up and cherish them.—Vid. g. VII. Ep. IV. 2. [Mans. Conc. Tom. XX. col. 208, et seq.] VIII. [col. 881, et seq.]

<sup>b</sup> Vid. Conc. Lugd. [sub Innoc. IV. apud Bin. Tom. VII. p. 1, c. 2 B, c. Mans. Conc. Tom. XXII. col. 618 D. See pp. 13, of this Treatise.]

<sup>c</sup> Auctoritate Apostolica de fratum nostrorum consilio determinamus illa juramenta predicta fidelitatis existere et censi

them<sup>a</sup>; by withdrawing causes from their jurisdiction; by commanding in their territories, and drawing people out of them to their judicatories; by having influence on their opinion; by draining them of wealth, &c.

To this discourse experience abundantly doth yield its attestation; for, how often have the Popes thwarted princes<sup>b</sup> in the exercise of their power, challenging their laws and administrations as prejudicial to Religion, as contrary to ecclesiastical liberty<sup>c</sup>!

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<sup>e</sup> Plat. de Bonif. VIII. p. 467. [Moritur autem hoc modo Boni-  
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of this Treatise.]

Auctoritate Apostolica de fratum nostrorum consilio de-  
mus illa juramenta predicta fidelitatis existere et censi-

Have they not challenged propriety in both swords; *Ecce duo gladii?*

How many princes have they pretended to depose, and dispossess of their authority!

Consider the pragmatical sanctions, provisors, compositions, concordats, &c. which princes have been forced to make against them, or with them, to secure their interest.

Many good princes have been forced to oppose them, as Henry the Second of England, King Lewis the Twelfth of France<sup>h</sup>, (that just prince, *Pater Patriæ*,) *Perdam Babylonis nomen.*

How often have they used this as a pretence of raising and fomenting wars! confiding in their spiritual arms; interdicting princes, that would not comply with their designs, for advancing the interests not only of their See, but of their private families<sup>i</sup>!

Bodin observeth, that Pope Nicholas I. was the first who excommunicated princes. Platina doth mention some before him: but it is remarkable, that although Pope Leo I. (a high-spirited Pope, *fortissimus Leo*, as Liberatus calleth him<sup>k</sup>) was highly provoked against Theodosius junior; Pope Gelasius, and divers of his predecessors and followers; Pope Gregory II. against Leo; Vigilius

debere.—Clement. Lib. II. Tit. 9. cap. unicum. *We declare out of our Apostolical authority, by the advice of our brethren, that the foresaid oaths of fealty ought to be, and be so esteemed.*

<sup>h</sup> Thuan. Lib. I. [Cuso etiam aureo nummo...cum hoc elogi PERDAM BABYLONIS NOMEN.—Hist. I. vi. p. 16, ed. Lond. 1733.]

<sup>i</sup> Abutente Christianorum pastore Christianorum principum viribus, ut private ambitioni, et suorum libidini inserviret.—Thuan. Lib. I. p. 42. [Ibid. I. xii. p. 24.] *The pastor of Christians abusing the power of Christian princes, that he might gratify his private ambition, and the will and lust of his friends.*

<sup>k</sup> Breviar. cap. XII. [apud. Bin. Tom. IV. p. 390, c. 1 d.]

ainst Justinian, &c. yet none of them did pre-  
me to excommunicate the Emperors.

All these dealings are the natural result of this  
etence; and, supposing it well grounded, are ca-  
ble of a plausible justification: for is it not fit,  
eeing one must yield,) that temporal should yield  
spiritual.

Indeed, granting the Papal supremacy in spi-  
rituals, I conceive the high-flying zealots of the  
oman Church, who subject all temporal powers  
to them, have great reason on their side; for co-  
-ordinate power cannot subsist, and it would be  
ly an eternal seminary of perpetual discords.

The quarrel cannot otherwise be well composed,  
an by wholly disclaiming the fictitious and  
urped power of the Pope: for two such powers  
o inconsistent and cross to each other, so apt to  
terfere, and consequently to breed everlasting mis-  
iefs to mankind between them) could not be in-  
stituted by God. He would not appoint two different  
cegerents in his kingdom at the same time.

But it is plain that he hath instituted the civil  
ver, and endowed it with a sword; that princes  
o his lieutenants<sup>1</sup>; that in the ancient times the  
opes did not claim such authority, but avowed  
emselves subjects to princes<sup>m</sup>.

9 Consequently this pretence is apt to engage  
ristian princes against Christianity; for they  
ll not endure to be crossed, to be depressed, to  
trampled on. This Popes often have complained

<sup>1</sup> P. Anast. II. calleth the Emperor Anastasius, Vicarium.—  
ist. ad. Imp. Anast. [Bin. Tom. III. p. 670, c. 1 c.] Cf. Tort.  
rt. p. 210.

<sup>m</sup> Epist. Eccl. Leod. adv. P. Pasch. II. [See p. 20 of this  
eatise.]

of; not considering it was their own insolence that caused it.

10 Whereas now Christendom is split into many parcels, subject to divers civil sovereignties, it is expedient, that correspondently there should be distinct ecclesiastical governments, independent of each other, which may comply with the respective civil authorities in promoting the good and peace both of Church and State<sup>n</sup>.

It is fit, that every prince should in all things govern all his subjects; and none should be exempted from subordination to his authority: as philosophers, and physicians of the body; so priests, and physicians of the soul; not in exercising their function, but in taking care that they do exercise it duly for the honour of God, and in consistence with public good; otherwise many grievous inconveniences must ensue.

It is of perilous consequence that foreigners should have authoritative influence upon the subjects of any prince, or have power to intermeddle in affairs.

Princes have a natural right to determine with whom their subjects shall have intercourse: which is inconsistent with a right of foreigners to govern or judge them in any case, without their leave.

Every prince is obliged to employ the power intrusted to him, to the furtherance of God's service, and encouragement of all good works; as ~~as~~

<sup>n</sup> Secundum mutationes temporum transferuntur etiam regna terrarum. Unde etiam Ecclesiasticarum parochiarum fines in plerisque provinciis mutari expedit et transferri.—P. Pasch. **IL** Ep. xix. [Bin. Tom. vii. p. 527, c. 1 A.] [Mans. Conc. Tom. **xx** col. 1005 d.]

preme power, without being liable to obstruction from any other power.

It would irritate his power, if another should be beyond his coercion.

It is observable, that the Pope by intermeddling in the affairs of kingdoms did so wind himself into them, as to get a pretence to be master of each; princes being his vassals and feudatories<sup>o</sup>.

11 Such an authority is needless and useless; not serving the ends which it pretendeth; and they being better compassed without it.

It pretendeth to maintain truth; but, indeed, it is more apt to oppress it<sup>p</sup>.

<sup>o</sup> Vid. Bod. de Rep. 1. 9. p. 195.

Car les princes Chrétiens avoient presque tous opinion, que le pape étoit absolument seigneur souverain de tous les royaumes de Chrétienté.—Bod. ibid. p. 196. Vid. Tort. Tort. p. 216, &c.

Vid. Greg. VII. Ep. 1. 7. [ad Princ. Hispan. ——non latere vos redimus regnum Hispanie ab antiquo proprii juris Sancti Petri usque, et adhuc (licet diu a Paganis sit occupatum) lege tamen stitice non evacuata, nulli mortalium, sed soli Apostolice sede aequo pertinore, &c.—Mans. Conc. Tom. xx. col. 65 b.] Ep. II. 13.

Salomon. Reg. Hungar. Nam sicut a majoribus patris tuis noscere potes, regnum Hungariae Sanctæ Romanæ Ecclesie proprium est, a Rega Stephano olim Beato Petro cum omni et potestate sua oblatum, et devote traditum, &c.—Mans. [38 c.]

Alex. II. Ep. VIII. [ad Wiliel. Reg. Anglor. Novit prudentia Anglorum regnum, ex quo nomen Christi ibi clarificatum est, apostolorum Principis manu et tutela extitisse, &c.—Mans. Tom. xix. col. 949 c.]

Ἐν τοσάντη διαφωνίᾳ καὶ μάχῃ τῶν ἐν τῇ ἐκκλησίᾳ γίνεται, ἐκάστου τοῦ Κυρίου ἡμῶν Ἰησοῦ Χριστοῦ διδασκαλίας ἀφισταμένου, λογιστέοντος καὶ ὅρους ἰδίους ἐκδικούντος ἐξ αὐθεντίας, καὶ μᾶλλον ἀπ' ἐναρτίας τοῦ Κυρίου, ἡ ἀρχεσθαι ὑπὸ τοῦ Κυρίου βουλομένου. de Jud. Dei. [Opp. Tom. II. p. 214 c.] So great a dissension and jarring there is among men in the Church, while every one背es from the doctrine of our Lord Jesus Christ, and asserts certain rules and rules of his own by his own authority, and had rather be contrary to the Lord, than be ruled by the Lord.

Truth is rather (as St Cyprian wisely observeth) preserved by the multitude of Bishops, whereof some will be ready to relieve it, when assaulted by others.

Truth cannot be supported merely by human authority; especially that authority is to be suspected which pretendeth dominion over our minds. What controversy, being doubtful in itself, will not after his decision continue doubtful? His sentence may be eluded by interpretation, as well as other testimonies or authorities.

The opinion of a man's great wisdom or skill may be the ground of assent, in defect of other more cogent arguments; but authority of name or dignity is not proper to convince a man's understanding. Men obey, but not believe princes more than others, if not more learned than others.

It pretendeth to maintain order: but how? by introducing slavery; by destroying all rights; by multiplying disorders; by hindering order to be quietly administered in each country.

It pretendeth to be the only means of unity and concord in opinion, by determining controversies: which its advocates affirm necessary<sup>4</sup>. But how can that be necessary which never was *de facto*, not even in the Roman Church? Hath the Pope effected this? Do all his followers agree in all points? Do they agree about his authority? Do not they differ and dispute about infinity of questions? Are all the points frivolous, about which their Divines and Schoolmen dispute? Why did not the Council of Trent itself, without more

<sup>4</sup> Ad conservationem Ecclesiae necesse est, ut omnes conveniant in eadem fide, &c.—Bell. de S. Pont. 1. 9. § 70.

do, and keeping such a disputing, refer all to is oracular decision?

Necessary points may and will, by all honest people, be known and determined without him, by the clear testimony of Scripture<sup>1</sup>, by consent of Fathers, by general tradition:—and other points need not to be determined.

That he may be capable of that office, he must be believed appointed by God thereto; which is a question itself to be decided without him, to satisfaction. His power is apt no otherwise to knock down controversies, than by depressing truth; not suffering any truth to be asserted, which doth not favour its interests.

Concord was maintained, and controversies decided, without them in the ancient Church; in synods, wherein he was not the sole judge, nor had observable influence.

The Fathers did not think such authority needed, otherwise they would have made more use it.

A more ready way to define controversies is every one not to prescribe to others<sup>2</sup>, or to execute; for then men would more calmly see truth, and consent.

It pretendeth to maintain peace and unity. ~~It~~ nothing hath raised more fierce dissensions, or many bloody wars in Christendom, as it.

It is apt by tyrannical administration to be intolerable, and so to break the Ecclesiastical state; to raise schisms and troubles.

<sup>1</sup> Ἡ Θεία γραφὴ πάντων ἀστένεια.—Athan. Ep. ad Episc. Sypt. et Lib. [Opp. Tom. I. p. 274 D.]

<sup>2</sup> Nemini præscribentes.—[Cypr. Ep. LXXIII. Opp. p. 137.]

It is like to extinguish genuine charity, which is free and uncomelled.

All the peace and charity which it endureth is by force and compulsion, not out of choice and good affection.

V. The ancients did assert to each Bishop a free, absolute, independent authority, subject to none, directed by none, accountable to none on earth, in the administration of affairs properly concerning his particular Church.

This is most evident in St Cyprian's writings; out of which it will not be amiss to set down some passages, manifesting the sense and practice of the Church in his time, to the satisfaction of any ingenuous mind.

*The bond of concord abiding, and the sacrament (or doctrine) of the Catholic Church persisting undivided, every Bishop disposeth and directeth his own acts, being to render an account of his purpose to the Lord<sup>t</sup>.* This he writeth, when he was pleading the cause of Pope Cornelius against Novatian; but then, it seemeth, not dreaming of his supremacy over others.

*But we know that some will not lay down what once they have imbibed, nor will easily change their mind; but, the bond of peace and concord with their colleagues being preserved, will retain some peculiar things, which have once been used by them; in which matter neither do we force any, or give law; whenas every Prelate hath in the*

<sup>t</sup> *Manente concordiae vinculo, et perseverante Catholicæ Ecclesiæ individuo sacramento, actum suum disponit et dirigit unusquisque Episcopus, rationem propositi sui Domino redditurus.* — Ep. LII. (ad Antonianum.) [Opp. p. 72.]

*ninistration of his Church the free power of his  
l, being to render unto the Lord an account of his  
ing<sup>1</sup>. This saith he, writing to Pope Stephanus, and in a friendly manner, *Out of common re-  
ct and single love<sup>2</sup>*, (not out of servile obeisance,) acquainting him what he and his brethren in a nod, *By common consent and authority<sup>3</sup>*, had established concerning the degradation of clergymen who had been ordained by heretics, or had lapsed to schism.*

*For seeing it is ordained by us all, and it is  
ewise equal and just, that each man's cause should  
there heard where the crime is committed; and  
each pastor a portion of the flock is assigned,  
hich each should rule and govern, being to render  
account to his Lord; those, indeed, over whom  
preside ought not to ramble about<sup>4</sup>.* This saith, in his Epistle to Pope Cornelius, upon occasion of some factious clergymen addressing themselves to him with factious suggestions, to gain countenance.

<sup>1</sup> Cæterum scimus quosdam quod semel imbiberint nolle depo-  
sue nec propositum suum facile mutare, sed salvo inter collegas  
et concordis vinculo, quosdam propria, quæ apud se semel  
usurpata, retinere. Qua in re nec nos vim cuiquam facimus,  
legem damus, quando habeat in Ecclesiæ administratione votis  
sue arbitrium liberum unusquisque prepositus, rationem  
sui Domino redditurus.—Ep. lxxii. (ad Stephanum.) [Opp. 29.]

<sup>2</sup> Hæc ad conscientiam tuam, frater carissime, et pro honore  
muni et pro simplici dilectione pertulimus, &c.—Ibid.

<sup>3</sup> Consensu et auctoritate communi.—Ibid. [p. 128.]

<sup>4</sup> Nam cum statutum sit ab omnibus nobis, et æquum sit pariter  
ustum, ut uniuscujusque causa illic audiatur, ubi est crimen  
iustum, et singulis pastoribus portio gregis sit adscripta, quam  
unusquisque et gubernet, rationem actus sui Domino reddi-  
t, oportet utique eos quibus præsumus, non circumcursare, &c.  
p. lv. (ad Cornelium.) [Opp. p. 86.]

*These things I have briefly written back, according to our meanness, dear brother; prescribing to none, nor prejudging, that every Bishop should not do what he thinks good, having a free power of his will<sup>a</sup>.*

*In which matter our bashfulness and modesty doth not prejudge any one; so that every one may not judge as he thinketh, and act as he judgeth<sup>b</sup>: prescribing to none, so that every Bishop may not resolve what he thinks good, being to render an account to the Lord<sup>c</sup>, &c.*

*It remaineth that each of us do utter his opinion about this matter, judging no man, nor removing any man, if he dissenteth, from the right of communion; for neither doth any of us constitute himself Bishop of Bishops, or by tyrannical terror driveth his colleagues to a necessity of obeying; whereas every Bishop hath upon account of his liberty and authority his own free choice, and is no less exempted from being judged by another, than he is uncapable to judge another; but let us all expect the judgment of our Lord Jesus Christ, who, and who alone, hath power both to prefer us to the government of his Church, and to judge of our acting<sup>d</sup>.*

<sup>a</sup> *Hæc tibi breviter pro nostra mediocritate rescripsimus, frater carissime, nemini prescribentes aut prejudicantes, quo minus unusquisque Episcoporum quod putat faciat, habens arbitrii sui liberam potestatem.—Ep. LXXIII. (ad Jubaianum). [Opp. p. 137.]*

<sup>b</sup> *Qua in parte nemini verecundia et modestia nostra prejudicant, quo minus unusquisque quod putat sentiat, et quod senserit faciat.—Id. Ep. LXXVI. (ad Magnum). [Opp. p. 156.]*

<sup>c</sup> *— nemini prescribentes, quo minus statuat quod putat unusquisque præpositus, actus sui rationem Domino redditurus; secundum quod Apostolus, &c.—Ibid. [Opp. p. 158.]*

<sup>d</sup> *Superest ut de hac ipsa re singuli quid sentiamus profaramus, neminem judicantes, aut a jure communicationis aliquem, si diversum senserit, amoventes. Neque enim quisquam nostrum Episcopum se esse Episcoporum constituit, aut tyrannico terror*

words did St Cyprian speak as prolocutor great Synod of Bishops at Carthage: and words could be more express, or more full, of the portion of the Episcopal liberties and rights, than almost every branch of Romish pretences? he savoweth the practice of one Bishop excepting another from communion for dissent in about disputable points; he rejecteth the cause that any man can have, to be a Bishop of Bishops, or superior to all his brethren; he constrainth the imposing opinions upon Bishops, constraining them to obedience; he disclaimeth power in one Bishop to judge another; setteth to each Bishop a full liberty and to manage his own concerns according to creation; he affirmeth every Bishop to receive power only from Christ, and to be liable only to judgment.

He may observe, that St Austin, in his reflection upon the passages in that Synod, doth appear to admire that preface, passing high commendations on the smartest passages of it which common liberty, professing his own contrary in practice to them: *In this consultation, there is shewed a pacific soul, overflowing with charity*; and, *We have therefore a free*

*quendi necessitatem collegas suos adigit; quando habeat* *piscopus pro licentia libertatis et potestatis sue arbitrium*, *et tamque judicari ab alio non possit, quam nec ipse potest* *judicare. Sed expectemus universi judicium Domini nostri* *Iusti, qui unus et solus habet potestatem et præponendi* *ecclesiæ sue gubernatione, et de actu nostro judicandi.*—

*Præf. Conc. Carthag. [Opp. pp. 329—30.]*

*rimum ergo ipsius Cypriani consultationem, qua indicatur* *pacifica, et exundans ubere caritatis—commemoremus.* *apt. cont. Don. Lib. vi. cap. 6. Opp. Tom. ix. col. 164 E.]*

*choice of inquiry granted to us, by the most mild and most veracious speech of Cyprian himself<sup>1</sup>; and, Now if the proud and tumid minds of heretics dare to extol themselves against the holy humility of this speech—than which what can be more gentle, more humble<sup>2</sup>?* Would St Austin have swallowed those sayings, could he have so much applauded them, if he had known a just power then extant and radiant in the world, which they do impeach and subvert? No, I trow; he did not know, nor so much as dream of any such; although the Pope was under his nose while he was discussing that point, and he could hardly talk so much of St Cyprian without thinking of Pope Stephen.

However let any man of sense honestly read and weigh those passages, considering who did write them, to whom he writ them, upon what occasions he writ them, when he writ them; that he was a great Primate of the Church, a most holy, most prudent, most humble and meek person; that he addressed divers of them to Bishops of Rome; that many of them were touching the concerns of Popes; that he writ them in times of persecution and distress, which produce the most sober and serious thoughts; then let him, if he can, conceive that all Christian Bishops were then held subject to the Pope, or owned such a power due to him as he now claimeth.

<sup>1</sup> *Habemus ergo quærendi liberum arbitrium ipsius Cypriani nobis mitissimo et veracissimo sermone concessum.*—Lib. III. cap. 3. [col. 110 G.]

<sup>2</sup> *Nunc se, si audent, superbæ et tumidæ cervices hereticorum adversus sanctam humilitatem hujus sententiae extollant.*—Lib. II. cap. 3. [col. 97 G.] *Quid mansuetius, quid humilius?*—Lib. III. cap. 3. [col. 110 D.]

We may add a contemporary testimony of the Roman clergy, addressing to St Cyprian these words: *Although a mind well conscious to itself, and supported by the vigour of evangelical discipline, and having in heavenly doctrines become a true witness to itself, is wont to be content with God for its only judge; and not to desire the praises, nor to dread the accusations, of another; yet they are worthy of double praise, who when they know they owe their consciences to God only as judge, yet desire also their actions to be approved by their brethren themselves; the which it is no wonder that you, brother Cyprian, should do, who, according to your modesty and natural industry, would have us not so much judges as partakers of your counsels*—<sup>h</sup>. Then it seems the College of Cardinals, not so high in the instep as they are low, did take St Cyprian to be free, and not accountable for his actions to any other judge but God.

That this notion of liberty did continue a good one after in the Church, we may see by that *mon* of the Antiochene Synod, ordaining *That every Bishop have power of his own Bishopric, govern it according to the best of his care and discretion, and provide for all the country belonging to*

<sup>h</sup> Quanquam bene sibi conscious animus, et evangelicas disciplinas vigore subnixus, et verus sibi in decretis coelestibus testis electus, soleat solo Deo judice esse contentus, nec alterius aut ies petere, aut accusations pertimescere; tamen geminata nt laude condigni, qui cum conscientiam sciant Deo soli debere judici, actus tamen suos desiderant etiam ab ipsis suis fratribus improbari. Quod te, frater Cypriane, facere non mirum est, qui o tua verecundia, et ingenita industria consiliorum tuorum nos tam judices voluisti, quam partipes inveniri.—Cler. om. ad Cypr. Ep. xxxi. [Opp. p. 42.]

*his city, so as to ordain priests and deacons, and dispose things aright!*

The Monks of Constantinople, in the Synod of Chalcedon, said thus: *We are sons of the Church, and have one father, after God, our Archbishop<sup>k</sup>:* they forgot their sovereign father the Pope.

The like notion may seem to have been then in England, when the Church of Canterbury was called *The common mother of all under the disposition of its spouse Jesus Christ*<sup>1</sup>.

VI. The ancients did hold all Bishops, as to their office, originally according to Divine institution, or abstracting from human sanctions framed to preserve order and peace, to be equal: for that all are successors of the Apostles<sup>m</sup>; all derive their commission and power in the same tenor from God; all of them are ambassadors, stewards, vicars of Christ, intrusted with the same Divine ministries of instructing, dispensing the sacraments, ruling and exercising discipline: to which functions and privileges the least Bishop hath right, and to greater the biggest cannot pretend.

<sup>1</sup> Ἐκαστον γάρ ἐπίσκοπον ἔξουσίαν ἔχειν τῆς ἑαυτοῦ παροιας, διοικεῖν τε κατὰ τὴν ἐκάστῳ ἐπιβάλλονταν εὐλάβειαν, καὶ πρόνοιαν τοι—σθαι πάσης τῆς χώρας τῆς ὑπὸ τὴν ἑαυτοῦ πόλιν, ὡς καὶ χειροτομῆ—πρεσβυτέρους καὶ διακόνους καὶ μετὰ κρίσεως ἐκαστο διαλαμβάνειν———Syn. Antioch. Can. ix. [Bin. Tom. I. p. 507.] [Mans. Conc. Tom. II. col. 1312 c.]

<sup>2</sup> Ἡμείς δὲ καὶ τέκνα τῆς ἐκκλησίας ἔσμεν, καὶ ἡτα πατέρα, μετὰ τὸν Θεόν, τὸν ἀρχιεπίσκοπον ἔχομεν.—Syn. Chalc. Act. I. [Bin. Tom. III. p. 114 B.]

<sup>1</sup> *Omnium nostrum mater communis sub sponsi sui Jesu Christi dispositione.*—Gervas. Dorob. (p. 1663.) apud Twisd. p. 72.

<sup>m</sup> Vid. Ep. P. Celest. I. ad S. Syn. Conc. Eph. Act. II. [Bin. Tom. II. p. 324 E. Πορευθέντες μαθητεύσατε πάντα τὰ ἔθη. προσέχετε ή ὑμετέρα ἀδελφότης ὁφείλει· ὅτι παρεδέξατο γενικὴν ἐπολήν· καὶ ἡμᾶς αὐτοὺς πάντας τοῦτο πράττειν ἡθέλησεν, ὅστις πάσιν ἐκείνοις περὶ τῆς κοινῆς ἐντεῖλατο πίστεως, καὶ λειτουργίας.]

One Bishop might exceed another in splendour, wealth, in reputation, in extent of jurisdiction, as the King may surpass another in amplitude of territory; but as all Kings, so all Bishops are equal in office and essentials of power, derived from God.

Hence they applied to them that in the Psalm: *n'stead of thy fathers shall be thy children, whom Pa. xlvi. 16. thou mayest make princes in all the earth*<sup>n</sup>.

This was St Jerome's doctrine in those famous words: *Wherever a Bishop be, whether at Rome or at Eugubium, at Constantinople or at Rhegium, at Alexandria or at Thanis, he is of the same worth and of the same priesthood; the force of wealth and lowness of poverty doth not render a Bishop more high or more low; for that all of them are successors of the Apostles*<sup>o</sup>; to evade which plain assertion, they have forged distinctions, whereof St Jerome surely did never think, he speaking simply concerning Bishops, as they stood by Divine institution, not according to human models, which gave some advantages over other.

That this notion did continue long in the church, we may see by the elogies of Bishops in their Synods; for instance, that in the Synod of Compeigne: *It is convenient all Christians should know what kind of office the Bishop's is,—who it is*

<sup>n</sup> Baron. Annal. Eccl. ann. LVIII. § 30. [Tom. I. p. 428. Sic *Quo sacerdotium et regnum a Christo translatum est in Ecclesiam, Apostolos primum, ac deinde in eorum successores; ut olim edixerat David sic canens: Pro patribus tuis nati sunt tibi filii; institues eos principes super omnem terram. Per filios tum Apostolos, in Episcopos intelligendos esse, tam Latini, quam Græci inter- estes exposuerunt.*]

<sup>o</sup> *Ubiunque fuerit Episcopus, sive Romæ sive Eugubii, &c.—* ier. [Ep. ci. ad Evang. Opp. Tom. IV. P. II. p. 803.]

*plain are the vicars of Christ, and keep the keys of the kingdom of heaven<sup>p</sup>:* and that of the Synod of Melun: *And though all of us unworthy, yet are the vicars of Christ, and successors of his Apostles<sup>q</sup>.*

In contemplation of which verity, St Gregory Nazianzen, observing the declension from it introduced in his times by the ambition of some Prelates, did vent that famous exclamation: *O that there were not at all any presidency, or any preference in place, and tyrannical enjoyment of prerogatives!*—which earnest wish he surely did not mean to level against the ordinance of God, but against that which lately began to be intruded by men. And what would the good man have wished, if he had been aware of those pretences, about which we discourse; which then did only begin to bud and peep up in the world?

VII. The ancients, when occasion did require, did maintain their equality of office and authority, particularly in respect to the Roman Bishops; not only interpretatively by practice, but directly and formally in express terms asserting it.

Thus when Felicissimus and his complices, being rejected by St Cyprian, did apply themselves to Pope Cornelius for his communion and countenance, St Cyprian affirmed that to be an irregular

<sup>p</sup> *Omnibus in Christiana Religione constitutis scire convenit, quale sit ministerium Episcoporum—quos constat esse vicarios Christi, et clavigeros regni coelorum, &c.*—Conc. Compend. sub P. Greg. IV. ann. Dom. 833. [Bin. Tom. vi. p. 360. c. 2 E.] [Mass. Conc. Tom. xiv. col. 647 c.]

<sup>q</sup> *Nos omnes licet indigni, Christi tamen vicarii, et Apostolorum ipsius successores.*—Syn. Meldens. ann. Dom. 845. [Bin. Tom. vi. p. 402, c. 1 c.]

<sup>r</sup> *Ος διδελόν γε μηδὲ ήν προεδρία, μηδέ τις τόπου προτίμησις, καὶ τυραννική προσομία*—[Orat. xxvi. Opp. Tom. i. p. 463 B.]

and unjust course; subjoining, *Except to a few desperate and wicked persons, the authority of the Bishops constituted in Africk, who have already judged of them, do seem less*<sup>6</sup>; that is, inferior to any other authority, particularly to that of Rome, unto which they had recourse: what other meaning could he have? Doth not his argument require this meaning?

Another instance is that of the Fathers of the Antiochene Synod<sup>t</sup>, (being ninety-seven Bishops,) the which St Hilary calleth, *A Synod of saints congregated*<sup>u</sup>, (the decrees whereof the Catholic Church did admit into its Code, and the Canons whereof Popes have called venerable<sup>v</sup>;) these in their Epistle to Pope Julius, complaining of his demeanour in the case of Athanasius, did flatly assert to themselves an equality with him: *They did not, as Sozomen recitateth out of their Epistle, therefore think it equal, that they should be thought inferiors, because they had not so big and numerous a Church*<sup>y</sup>.

That Pope himself testifieth the same in his Epistle to them, extant in the Second Apology of Athanasius: *If, saith he, ye do truly conceive the honour of Bishops to be equal, and the same; and e do not, as ye write, judge of Bishops according*

<sup>6</sup> *Nisi si paucis desperatis et perditis minor esse videtur auctoritas Episcoporum in Africa constitutorum, qui jam de illis judicant*——[Ep. lv. ad Cornel. Opp. p. 86.]

<sup>t</sup> *Fides quam exposuerunt qui affuerunt Episcopi* 97—Hilar. Synodis. [Opp. col. 1168 c.]

<sup>u</sup> *Congregata sanctorum Synodus*.—Ibid. [col. 1170 d.]

<sup>v</sup> *Venerabiles Antiocheni Canones*.—P. Nicol. I. Ep. ix. [Bin. om. vi. p. 519. c. 2 c.] [Mans. Conc. Tom. xv. col. 226.]

<sup>y</sup> Οὐ παρὰ τούτῳ τὰ δευτερεῖα φέρειν ἡξίουν, ὅτι μὴ μεγίθει, ἡ πλήθει αὐλησίας πλεονεκτοῦσι. —Soz. III. 8.

*to the magnitude of cities<sup>a</sup>;* which assertion of theirs so flatly thwarting papal supremacy he doth not at all confute, yea not so much as contradict; and therefore reasonably may be interpreted to yield consent thereto; the rule, *He that holdeth his peace seemeth to consent<sup>b</sup>*, never holding better than in this case, when his copyhold was so nearly touched: indeed, he had been very blameable to wave such an occasion of defending so important a truth, or in letting so pestilent an error to pass without correction or reproof.

After the Pope had climbed higher than at that time, (upon the ladders of dissension and disorders in the Church,) yet he was reproved by Euphemianus Bishop of Constantinople, for preferring himself before his brethren; as we may collect from those words of a zealous Pope: *We desire not to be placed above others, as you say, so much as to have fellowship holy and well-pleasing to God with all the faithful<sup>b</sup>.*

That Pope Gregory I. did not hold himself superior to other Bishops, many sayings of his do infer: for in this he placeth the fault of the Bishop of Constantinople, which he so often and so severely reprehendeth, that he did prefer himself before, and extol himself above, other Bishops

<sup>a</sup> Εἰ οὖν ἀληθῶς ἴσην καὶ τὴν αὐτὴν ἡγεῖσθε τιμὴν τῶν ἐπισκόπων καὶ μὴ ἐκ τοῦ μεγέθους τῶν πόλεων, ὡς γράφετε, κρίνετε τοὺς ἵστους.—P. Jul. I. apud Athan. in Apol. II. [Apol. con. Arian. Tom. p. 145 A.]

<sup>a</sup> Qui tacet consentire videtur.

<sup>b</sup> Hic non tam optamus p̄seponi aliis, sicut p̄dicas, quæcum fidelibus cunctis sanctum et Deo placitum habere consortium.—P. Gelas. I. Ep. I. ad Euphem. [apud Bin. Tom. III. p. 621 D. Mans. Conc. Tom. VIII. col. 9 c.]

<sup>c</sup> — In elatione sua Antichristum p̄securrit, quia superbis.

And would he directly assume that to himself which he chargeth on another, although only following his position by consequence? And when Eulogius the Bishop of Alexandria had complimently said, *Sicut jussistis, As ye commanded;* he doth thus express his resentment; *That word of command I desire you let me not hear; because I know who I am, and who ye are: by place ye are my brethren; in goodness, fathers: I did not therefore command; but what seemed profitable I hinted to you*<sup>d</sup>.

That many such instances may not be alleged out of antiquity, the reason is, because the ancient Popes did not understand this power to belong to them, and therefore gave no occasion for Bishops to maintain their honour; or were more just, prudent, and modest, than to take so much upon them, as their successors did, upon frivolous pretences.

VIII. The style used by the primitive Bishops in their applications to the Roman Bishop doth signify, that they did not apprehend him their sovereign, but their equal.

*Brother, colleague, fellow-Bishop*, are the terms which St Cyprian<sup>e</sup> doth use in speaking about the

<sup>a</sup> *ndo se ceteris p̄eponit.*—P. Greg. I. Ep. vii. 33. [Opp. Tom. ii. - 881 D.]

*Super ceteros sacerdotes se extollit.*—Ibid.

<sup>b</sup> *Christi sibi student membra subjugare.*—Id. Ep. v. 43. - 773 c.]

*Solus omnibus p̄æsse.*—Id. Ep. v. 18. [p. 742 E.]

<sup>c</sup> *— Quibus (Episcopis) cupis temetipsum vocabulo elato responere.*—Id. ibid. [p. 743 A.]

<sup>d</sup> *Quod verbum jussionis peto a meo auditu removete, quia scio qui sum, qui estis. Loco enim mihi fratres estis, moribus patres. Non ergo jussi, sed quo utilia visa sunt, indicare curavi, &c.*—Ep. viii. 30. (ad Eulog. Alex.) [p. 919 c.]

<sup>e</sup> *Epp. iv. xli. lviii. lxvii. lxviii. xlvi. xlvi. &c.*

Roman Bishops, his contemporaries, Fabianus, Cornelius, Lucius, Stephanus; and in his Epistles to the three last of them; nor doth he ever use another, importing higher respect due to them; as indeed, his practice demonstrateth he did not apprehend any other due, or that he did take them for his superiors in office. *Know now, brother* was the compellation of Dionysius (Bishop of Alexandria) to Pope Stephanus. The Synod of Antioch which rejected Paulus Samosatenus, inscribeth in Epistle to *Dionysius* (then bishop of Rome) *as Maximus, and all our fellow-ministers through the world*<sup>a</sup>. The old Synod of Arles directeth the Epistle to *Seignior Sylvester, their brother*<sup>b</sup>. Athanasius saith, *These things may suffice, which have been written by our beloved and fellow-minister Damasus, Bishop of great Rome*<sup>c</sup>. Marcellus inscribeth to Pope Julius, to his *Most blessed fellow-minister* So Cyril spake of Pope Celestine I. *Our brother and fellow-minister, the Bishop of Rome*<sup>d</sup>. So St Basil and his fellow-Bishops of the east, did inscribe their Epistle, *To the beloved of God, and our most holy brethren and fellow-ministers, the unanimous*

<sup>a</sup> Ἰσθι δὲ νῦν, ἀδελφέ,——.—Euseb. Eccl. Hist. VII. 5.

<sup>b</sup> Διονυσίῳ καὶ Μαξίμῳ κατὰ τὴν οἰκουμένην πᾶσι συλλογργοῖς ἡμῶν——.—Id. VII. 30.

<sup>c</sup> *Domino et sanctissimo fratri Sylvestro Episcopo*——.—Bi. Tom. I. p. 266, c. 2 B.] [The copy of this Epistle given by Max ex *Editiones Jacobi Sirmundi*, has not this superscription.]

<sup>d</sup> Ἰκανὸν μὲν τὰ γραφέντα παρά τε τοῦ ἀγαπητοῦ καὶ συλλειτουργοῦ Δαμάσου τοῦ ἐπισκόπου τῆς μεγάλης Ρώμης.—Athan. Ep. ad Δ. [Opp. Tom. I. p. 891 A.]

<sup>e</sup> Τῷ μακαριωτάτῳ συλλειτουργῷ Ἰουλίῳ.—Marcell. ad P. J. Epiph. Hær. LXXII. [p. 834 D.]

<sup>f</sup> Ἀδελφοῦ καὶ συλλειτουργοῦ ἡμῶν τοῦ τῆς Ρωμαίων ἐκληροῦ ἐπισκόπου——.—Cyril. ad Nest. in Syn. Eph. [Bin. Tom. I. p. 207 D.]

*Bishops through Italy and France*<sup>m</sup>. In this style do the Fathers of Sardica salute Pope Julius; those of Constantinople, Pope Damasus<sup>n</sup>; those of Ephesus, Pope Celestine I., *Our brother and fellow-minister, Celestine*<sup>o</sup>; those of Carthage, Pope Celestine I. in the very same terms wherein St Austin doth salute **Maximinus**, a Donatist Bishop, *Seignior, my beloved and most honoured brother*<sup>p</sup>. The oriental Bishops, Eustathius, Theophilus, and Silvanus, did inscribe their remonstrance to Pope Liberius, *To Seignior, our brother and fellow-minister, Liberius*<sup>q</sup>. So John of Antioch to Nestorius writeth, *To my master*<sup>r</sup>. The Synod of Illyricum call Elpidius, *Our Seignior, and fellow-minister*<sup>s</sup>.

In which instances, and some others of later date, we may observe that the word *κύριος*, or *dominus*, was then (as it is now) barely a term of civility, being then usually given to any person of quality, or to whom they would express common

<sup>m</sup> Τοῖς θεοφιλεστάτοις καὶ δσιωτάτοις ἀδελφοῖς συλλειτουργοῖς κατὰ τὴν Ἰταλίαν καὶ Γαλλίαν δρομοφύχοις ἐπισκόποις.—Bas. Ep. xci. [Opp. Tom. III. p. 183 d.] Cf. Athanas. Apol. cont. Arian. [Opp. Tom. I. p. 159 A., 162 A.]

<sup>n</sup> Theodor. Eccl. Hist. v. 9. [Opp. Tom. III. p. 714.]

<sup>o</sup> Τοῦ δσιωτάτου καὶ θεοσεβεστάτου ἀδελφοῦ ἡμῶν καὶ συλλειτουργοῦ Κελεστίνου.—Conc. Eph. [Bin. Tom. II. p. 217 c.]

<sup>p</sup> Domino dilectissimo et honoratissimo fratri.—Epist. Ionice. Afr. ad P. Celest. [Bin. Tom. I. p. 927.] [Mans. Conc. Tom. IV. ol. 515 A.]

Domino dilectissimo et honorabili fratri Maximino.—Aug. [Ep. III. Opp. Tom. II. col. 30 E.]

<sup>q</sup> Κυρίῳ ἀδελφῷ, καὶ συλλειτουργῷ Λιβερίῳ Εὐστάθῳ, Θεόφιλῳ, Σλαβανῷ ἐν Κυρίῳ χαίρειν.—Socr. IV. 12.

<sup>r</sup> Τῷ δεσπότῃ μονῷ.—Conc. Eph. [Bin. Tom. II. p. 202.] [Mans. Conc. Tom. IV. col. 1061 A.]

<sup>s</sup> Τὸν κύριον ἡμῶν καὶ συλλειτουργόν.—Theodor. Eccl. Hist. IV. 8. [Opp. Tom. III. p. 668 B.]

respect; so that St Chrysostom in his Epistles commonly doth give it, not only to meaner Bishops, but even to priests. — *My most honoured master<sup>1</sup>.* — *Now therefore having with me my most honoured Seignior and most reverend presbyter<sup>2</sup>, &c.* — *My most honoured master Asyncritus the elder<sup>3</sup>;* and St Austin doth thus salute even Donatist Bishops, reflecting thereon thus: *Since therefore by charity I serve you in this office of writing letters to you, I do not improperly call you master, for the sake of our one true Master, who has commanded us so to do<sup>4</sup>.*

Pope Celestine himself did salute the Ephesine Fathers, *Κύριοι ἀδελφοί<sup>5</sup>, Masters, brethren.* Even in the Sixth Council, Thomas, Bishop of Constantinople, did inscribe according to the old style, to Pope Vitalianus, *His brother and fellow-minister<sup>6</sup>.* The French Bishops had good reason to expostulate with Pope Nicholas I.: *You may know that we are not, as you boast and brag, your clerks;*

<sup>1</sup> Δέσποτά μου τιμωτάτε.—Chrys. Ep. xxvi. [Opp. Tom. VII. p. 114.]

<sup>2</sup> Νῦν γοῦν ἐπιλαβόμενοι τοῦ κυρίου μοῦ τιμωτάτου καὶ εὐλαβέτατον πρεσβυτέρου.—Id. ibid.

<sup>3</sup> Τὸν δεσπότην μοῦ τὸν ποθεωτάτον καὶ τιμωτάτον ἀσύγκριτον πρεσβύτερον.—Ep. LXVIII. [Tom. VII. p. 131.] (Cf. Epp. LXXI. LXXIV. LXXXIV. XCII. &c.)

<sup>4</sup> Cum ergo vel hoc ipso officio literarum per caritatem tibi serviam, non absurde te dominum voco, propter unum et verum Dominum nostrum, qui nobis ista præcepit.—Aug. [Ep. XXII. ubi supra.]

<sup>5</sup> Κύριοι ἀδελφοί.—P. Celest. I. Ep. ad Conc. Eph. Act. III. [Bin. Tom. II. p. 324 E.] [Mansi. Conc. Tom. IV. col. 1283 D. ἀντανασθω ταῦτα παρὰ πάντων εἰς τὸ κοινὸν, κύριοι ἀδελφοί.—].

<sup>6</sup> [Τῷ τὰ πάντα ἀγιωτάτῳ καὶ μακαριωτάτῳ ἀδελφῷ καὶ συλλαττούργῳ.—Conc. VI. Act. XIII. Bin. Tom. V. p. 224 c.] [Mansi. Conc. Tom. XI. col. 575 c.]

*whom, if pride would suffer, you ought to acknowledge for your brethren and fellow-Bishops<sup>b</sup>.*

Such are the terms and titles which primitive integrity, when they meant to speak most kindly and respectfully, did allow to the Pope, being the same which all Bishops did give to one another; (as may be seen in all solemn addresses and reports concerning them;) which is an argument sufficiently plain, that Bishops in those times did not take themselves to be the Pope's subjects, or his inferiors in office; but his fellows and mates, co-ordinate in rank. Were not these improper terms for an ordinary gentleman or nobleman to accost his Prince in? yet hardly is there such a distance between any Prince and his Peers, as there is between a modern Pope and other Bishops.

It would now be taken for a great arrogance and sauciness for an underling Bishop to address to the Pope in such language, or to speak of him in that manner; which is a sign that the world is altered in its notion of him, and that he beareth a higher conceit of himself than his primitive ancestors did. Now nothing but *Beatissimus Pater, Most blessed Father; and Dominus noster Papa, Our Lord the Pope*, in the highest sense, will satisfy him. Now a Pope in a General Synod, in a solemn oration, could be told to his face, that the most holy senate of Cardinals had chosen a brother into a father, a colleague into a lord<sup>c</sup>. Verily so it is now, but not so anciently.

<sup>b</sup> *Scias nos non tuos esse, ut te jactas et extollis, clericos, quos ut fratres et co-episcopos recognoscere, si elatio permitteret, debueras.*—An. Franc. Pith. (an. 858.)

<sup>c</sup> *Vere divina providentia factum censendum est, quod te sacerdos iste seminus—fratrem, et ut ita dixerim, filium in patrem*

So Julius to the oriental Bishops, *to our brethren*<sup>1</sup>. So Liberius to the Macedonian: *To our beloved brethren and fellow-ministers* to the oriental Bishops, *To our brethren and Bishops*<sup>2</sup>. So Damasus to the Bishops *of* cum<sup>3</sup>. So Leo himself frequently in his *Epistles*: So Pope Celestine calleth John of Antioch *honoured brother*<sup>4</sup>; to Cyril and to Nestor *beloved brother*<sup>5</sup>; to the Fathers of Seigniors, *brethren*<sup>6</sup>; Pope Gelasius to the *Epistles* of Dardania, *Your brotherhood*<sup>7</sup>; St Gr

collegam in dominum—elegerint, assumpserint, adorant. Balthasar del Rio in Conc. Later. V. ad Leonem X. Ses. Tom. IX. p. 85, c. 1 B.]

<sup>a</sup> Ἀδελφὶ ἀγαπητέ.—Euseb. Eccl. Hist. vi. 43.

<sup>b</sup> Omnibus coepiscopis nostris et fratribus innotescit. Corn. apud Cypr. Ep. XLVIII. [Opp. p. 62.]

<sup>c</sup> Ἀγαπητοῖς ἀδελφοῖς.—Apud Athanas. Apol. cont. Aeg. Tom. I. p. 141 A.]

<sup>d</sup> Τοῖς ἀγαπητοῖς ἀδελφοῖς καὶ συλλειτουργοῖς.—Socr. i. 12. 2.

<sup>e</sup> Dilectissimis fratribus et coepiscopis.—Hil. Frag. col. 1327.]

<sup>f</sup> [Δάμασος καὶ Οὐαλέριος καὶ οἱ λοιποὶ, τοῖς ἀγαπητοῖς ἀδελφοῖς.—Soz. vi. 23.

yiacus, *Our brother and fellow-priest, Cyriacus*<sup>o</sup>.

If it be said, the Popes did write so then out of condescension, or humility and modesty; it may be replied, that if really there was such a difference as is now pretended, it may seem rather affectation, and indecency or mockery: for it would have more become the Pope to maintain the modesty and authority of his place, by appellations apt to cherish their reverence, than to colloquie with them in terms void of reality, or signifying that equality which he did not mean.

But Bellarmine<sup>p</sup> hath found out one instance (which he maketh much of) of Pope Damasus, who writing (not, as he allegeth, to the Fathers of Constantinople, but) to certain eastern Bishops, calleth them *Most honoured sons*<sup>q</sup>. That whole Epistle I do fear to be foisted into Theodoret<sup>r</sup>; for it cometh in abruptly; and doth not much become such a man: and if it be supposed genuine, I should suspect some corruption in the place: or why, if he writ to Bishops, should he use a style so unsuitable to those times, and so different from that of his predecessors and successors? Why should there be such a disparity between his own style now and at other times? For writing to the

<sup>o</sup> *Fratri et consacerdotis Cyriaci*—.—Greg. M. Ep. vii. 28.  
[P. Tom. ii. p. 873 E.]

<sup>p</sup> Bell. de S. Pont. ii. 14. [§ 10.] [Secundus sit S. Damasus, in Epistola ad omnes Episcopos Orientales, quam Theodoretus ist. v. 10.) recitat. — Ubi agnoscit *debitam* reverentiam, et *de* vocat omnes Episcopos.]

<sup>q</sup> Υἱοὶ τιμωταροι.—Theodor. Eccl. Hist. v. 10. [Opp. Tom. iii. 718 D.]

<sup>r</sup> Cf. Vales. annot. in Theodor. ib.

Bishops of Illyricum, he calleth them *brethren*<sup>8</sup>: why then is he so inconstant and as to yield these oriental Bishops less *r* wherefore perhaps *vici* was thrust in for *a* or perhaps the word *ἐπισκόποις* was intrude he did write to laymen; *Those who govern east*<sup>9</sup>, who well might be called most ho sons; otherwise the epithet doth not seem suit; but however, a single example of arr or stateliness (or of what shall I call it?) is be set against so many modest and mannerl In fine, that this salutation doth not imply superiority, we may be assured by t scription of Alexander, Bishop of Thessalo Athanasius of Alexandria, *To my beloved s unanimous colleague, Athanasius*<sup>10</sup>.

IX. The ground of that eminence whi Roman Bishop did obtain in the Church, sc order to precede other Bishops, doth shal pretence.

The Church of Rome was, indeed, allowe *The principal Church*<sup>11</sup>, as St Cyprian calleth why? Was it preferred by Divine institutio surely; Christianity did not make laws o nature, or constitute differences of places. it in regard to the succession of St Peter that was a slim, upstart device; that did nc in Antioch, nor in other Apostolical Chu But it was for a more substantial reaso

<sup>8</sup> *Toῖς ἀγαπητοῖς ἀδελφοῖς.*—*Soz.* vi. 23.

<sup>9</sup> *Toῖς τὴν ἐφαντισθέντοις.*—*Theodor. Eccl. Hist.* v. 10. [1 p. 718 D.]

<sup>10</sup> Ἀγαπητῷ νίκῃ καὶ δμοψύχῳ συλλειτουργῷ Ἀθανασίῳ.—*Apol. con. Arian.* [Opp. Tom. i. p. 183 A.]

<sup>11</sup> *Ecclesia principalis.*—*Ep. lv.* [Opp. p. 86.]

very same on which the dignity and pre-eminency of other Churches was founded; that is, the dignity, magnitude, opulence, opportunity of that city in which the Bishop of Rome did preside; together with the consequent numerousness, quality, and wealth of his flock; which gave him many great advantages above other his fellow-Bishops: it was, saith Rigaltius, called by St Cyprian the principal Church, *Because constituted in the principal city*<sup>1</sup>.

That Church in the very times of severest persecutions, *By the providence of God*, (as Pope Cornelius said in his Epistle to Fabius,) *had a rich and plentiful number, with a most great and innumerable people*<sup>2</sup>; so that he reckoneth forty-four presbyters, seven deacons, (in imitation of the number in the Acts,) seven subdeacons, forty-two acoluthi, fifty-two others of the inferior clergy, and above fifteen hundred alms-people<sup>3</sup>.

To that Church there must needs have been a great resort of Christians, going to the seat of the empire in pursuit of business; as in proportion there was to each other metropolis; according to that Canon of the Antiochene Synod, which

<sup>1</sup> Ecclesia principalis, id est in urbe principali constituta.—  
Rigalt. [in Cypr. Ep. lv. Observ. p. 78.]

<sup>2</sup> Διὰ τῆς τοῦ Θεοῦ προνοίας πλούσιός τε καὶ πληθύνων ἀριθμὸς μετὰ μηγέστου καὶ ἀναριθμῆτου λαοῦ.—Euseb. Eccl. Hist. vi. 43.

<sup>3</sup> [Πρεσβυτέρους εἴναι τεσσαράκοντα ἔξ. διακόνους ἑπτά. ἀκολούθους δύο καὶ τεσσαράκοντα ἔξορκοτάς δὲ καὶ ἀναγνώστας ἄμα πυλωροῖς, δύο καὶ πεντάκοντα χήρας σὺν θιβομένοις, ὑπέρ τὰς χλιας πεντακοσίας.]—  
Id. ibid.

Et quanquam sciām, frater, pro mutua dilectione quam debemus et exhibemus invicem nobis, florentissimo illic clero tecum praesidenti, et sanctissimam atque amplissimam plebi, legero te semper literas nostras———.—Cypr. Ep. lv. (ad Corn.) [Opp. p. 89.]

ordered, that *The Bishop of each metropolis should take care of the whole province, because all that had business did resort to the metropolis*<sup>b</sup>.

That Church was most able to yield help and succour to them who needed it; and accordingly did use to do it; according to that of Dionysius, Bishop of Corinth, in his Epistle to Bishop Soter of Rome: *This, saith he, is your custom from the beginning, in divers ways to do good to the brethren, and to send supplies to many Churches in every city, so refreshing the poverty of those who want*<sup>c</sup>. Whence it is no wonder that the head of that Church did get most reputation, and the privilege of precedence without competition.

*To this Church, said Irenæus, it is necessary that every Church (that is, the faithful who are all about) should resort, because of its more powerful principality<sup>d</sup>:* what is meant by that resort will be easy to him who considereth how men here are wont to go up to London, drawn thither by interests of trade, law, &c. What he did understand by more powerful principality<sup>e</sup>, the words themselves do signify, which exactly do agree to the power and grandeur of the imperial city, but do

<sup>b</sup> ——— καὶ τὴν φροντίδα ἀναδέχεοθαι πάσης τῆς ἐπαρχίας, διὰ τὸ ἐν τῇ μητροπόλει συντρέχειν πανταχόθεν πάντας τοὺς τὰ πρέματα ἔχοντας.—Syn. Ant. Can. ix. [Bin. Tom. i. p. 507.] [Manu. Con. C. Tom. II. col. 1311 c.]

<sup>c</sup> Ἐξ ἀρχῆς γὰρ ὑμῖν ἔθος ἐστὶ τοῦτο, πάντας μὲν ἀδελφοὺς ποιῶντας εὐεργετεῖν, ἐκκλησίας τε πολλαῖς ταῖς κατὰ πάσαν πόλιν ἐφόδια πίπτειν ὅδε μὲν τὴν τῶν δεομένων πενίαν ἀναψύχοντας, &c.—Apud Euseb. Eccl. Hist. iv. 23.

<sup>d</sup> Ad hanc Ecclesiam, propter potentiores (potiores, ~~Ecclesias~~ Bened.) principalitatem, necesse est omnem convenire Ecclesias. hoc est, eos qui sunt ubique fideles.—Iren. iii. 3. [§ 2. p. 175.]

<sup>e</sup> Δυνατωτέραν ἀρχήν, I conjecture, he said.

not well suit to the authority of a Church; especially then when no Church did appear to have either principality or puissance. And that sense may clearly be evinced by the context, wherein it doth appear, that St Irenæus doth not allege the judicial authority of the Roman Church, but its credible testimony, which thereby became more considerable, because Christians commonly had occasions of recourse to it.

Such a reason of precedence St Cyprian giveth in another case: *Because, saith he, Rome for its magnitude ought to precede Carthage*<sup>f</sup>.

For this reason a Pagan Historian did observe the Roman Bishop had a greater authority (that is, a greater interest and reputation) than other Bishops<sup>g</sup>.

This reason Theodoret doth assign in his Epistle to Pope Leo, wherein he doth highly compliment and cajole him: *For this city, saith he, is the greatest, and the most splendid, and presiding over the world; and flowing with multitude of people; and which moreover hath produced the empire now governing<sup>h</sup>.*

This is the sole ground upon which the greatest of all ancient Synods, that of Chalcedon, did affirm the Papal eminency to be founded; for, *To the throne, say they, of ancient Rome, because that was*

<sup>f</sup> *Plane quoniam pro magnitudine sua debeat Carthaginem omnia præcedere.*—Ep. xlix. [Opp. p. 64.]

<sup>g</sup> *Auctoritate qua potiores æternæ urbis Episcopi.*—Amm. Marcell. Lib. xv. [7, 10.]

<sup>h</sup> *Ἡ γὰρ αὐτὴ πασῶν μεγίστη, καὶ λαμπροτάτη, καὶ τῆς οἰκουμένης προστιθμένη, καὶ τῷ πλήθει τῶν οἰκητόρων κυμαίνουσα. πρὸς δὲ τούτοις τὸν κρατούσαν ἡγεμονίαν ἐβλάστησε.*—Ep. cxii. [Opp. Tom. p. 985 A.]

To the same purpose the Empress r.  
her Epistle to Theodosius in behalf of I  
saith: *It becometh us to preserve to this  
which is mistress of all lands) a reverer  
things<sup>k</sup>.*

This reason had, indeed, in it much  
of decency, of conveniency; it was equal  
should have the preference, and more t  
mon respect, who was thence enabled and  
to do most service to Religion. It wa  
that out of conformity to the state, and i  
to the imperial court and senate, the past  
place should be graced with repute; it w  
nient, that he who resided in the cent  
business, and had the greatest influen  
affairs, who was the Emperor's chief cou  
direction, and instrument for execution o  
astical affairs, should not be put behind o

Hence did the Fathers of the Second  
Synod advance the Bishop of Constant  
the next privileges of honour after the ]

Rome, because it was new Rome<sup>1</sup>, and a seat of the empire.

And the Fathers of Chalcedon assigned equal privileges to the most holy See of new Rome: *With good reason, (say they,) judging that the city which was honoured with the royalty and senate, and which (otherwise) did enjoy equal privileges with the ancient royal Rome, should likewise in ecclesiastical affairs be magnified as it, being second after it<sup>2</sup>.*

Indeed, upon this score, the Church of Constantinople is said to have aspired to the supreme principality, when it had the advantage over old Rome, the empire being extinguished there; and sometime was styled, *The head of all churches*<sup>3</sup>.

<sup>1</sup> Τὸν μέντοι Κωνσταντινουπόλεως ἐπίσκοπον ἔχει τὰ πρεσβεῖα τῆς τιμῆς μετὰ τὸν τῆς Ῥώμης ἐπίσκοπον, διὰ τὸ εἶναι αὐτὴν νέαν Ῥώμην.—Syn. Const. Can. III. [Bin. Tom. I. p. 661.] [Mans. Conc. Tom. III. col. 580 c.]

<sup>2</sup> Τὰ ἵστα πρεσβεῖα ἀπένειμαν τῷ τῆς νέας Ῥώμης ἀγιωτάτῳ θρόνῳ ἀλόγως κρίναντες τὴν βασιλείαν καὶ συγκλήτῳ τιμηθέσαν πόλιν, καὶ τῶν ἵστων ἀπολαύσαν πρεσβεῖαν τῇ πρεσβυτέρᾳ βασιλίδι Ῥώμῃ, καὶ ἐν τοῖς ἀκλησιαστικοῖς, ὡς ἐκείνην, μεγαλύνεσθαι πράγμασι, δευτέραν μετ' ἐκείνην ἀπάρχουσαν.—Syn. Chalc. Act. xv. Can. xxviii. [Bin. Tom. III. p. 447 A.] [Mans. Conc. Tom. VII. col. 369 B.]

<sup>3</sup> Sacrosanctam quoque hujus religiosissimae civitatis Ecclesiam, matrem nostrae pietatis, et Christianorum orthodoxarum religionis unum, et ejusdem Regiae Urbis sanctissimam Sedem, &c.—Imp. 10. Cod. Lib. I. Tit. II. § 16. *The Holy Church of this most religious y, the mother of our devotion, and of all orthodox Christians, and most holy See of that imperial city.*

Bonifacius III. a Phoca imperatore obtinuit, magna tamen conventione, ut Sedes B. Petri Apostoli, quae caput est omnium Ecclesiarum, ita et diceretur, et haberetur ab omnibus; quem quidem unam Ecclesiam Constantinopolitana sibi vendicare conabatur; factis interdum principibus, affirmantibusque eo loci primam diem esse debere, ubi Imperii caput esset.—Plat. in Vit. Bonif. I. p. 161. Boniface III. (though with a great deal of stir) obtained the Emperor Phocas, that the See of St Peter the Apostle, which is a head of all Churches, should be so called and accounted by all; which dignity the Church of Constantinople did, indeed, endeavour to

It is also natural, and can hardly be otherwise, but that the Bishop of a chief city (finding himself to exceed in wealth, in power, in advantages of friendships, dependencies, &c.) should not affect to raise himself above the level: it is an ambition that easily will seize on the most moderate, and otherwise religious minds. Pope Leo objected it to Anatolius, and Pope Gregory to John, (from his austere life called *the Faster*).

Upon the like account it was that the Bishops of other cities did mount to a pre-eminency, metropolitan, primatical, patriarchal.

Thence it was that the Bishop of Alexandria, before Constantine's time, did acquire the honour of second place to Rome; because that city, being head of a most rich and populous nation, did in magnitude and opulence (as Gregory Nazianzen saith) approach next to Rome, so as hardly to yield the next place to it<sup>o</sup>.

Upon that account also did Antioch get the next place; as being the most large, flourishing, commanding city of the east; *The which, as Josephus saith, for bigness and for other advantages, had without controversy the third place in all the*

*assert to itself, Princes sometime favouring them, and affirming that there the chief See ought to be, where the head of the Empire was.*

Hic (Bonifacius III.) obtinuit apud Phocam Principem, ut Sedes Apostolica B. Petri Apostoli caput esset omnium Ecclesiarum, id est, Ecclesia Romana, quia Ecclesia Constantinopolitana primam esse omnium Ecclesiarum scribebat.—Anastas. in Bonif. III. [Tom. I. p. 117.] *Phocas, at the entreaty of Pope Boniface, appointed that the Roman See should be the head of all Churches, because the Church of Constantinople wrote herself the chief of all Churches. Idem Sabellius, Blondus, Leatus, &c., tradunt.*

<sup>o</sup> Υμεῖς ἡ μεγάλη πόλις, οἱ πρῶτοι μετὰ τὴν πρώτην εὐθίας, ἡ μηδὲ τοῦτο παραχωροῦντες.—[Orat. xxvi. Opp. Tom. I. p. 643 A.]

'Η Ἀλεξανδρέων μεγαλόπολις.—Evagr. II. 4. et passim.

*world subject to the Romans<sup>p</sup>;* and the which St. Iohysostom calleth *The head of all cities seated in the east<sup>q</sup>.* St. Basil seemeth to call the Church hereof the principal in the world; for, *What, saith he, can be more opportune to the Churches over the world than the Church of Antioch? the which, if it should happen to be reduced to concord, nothing would hinder, but that as a sound head it would supply health to the whole body<sup>r</sup>.*

Upon the same account the Bishop of Carthage did obtain the privilege to be standing Primate of his province, (although other Primacies there were not fixed to places, but followed seniority,) and a kind of Patriarch over all the African provinces.

Hence did Cæsarea, as exceeding in temporal advantages, and being the political Metropolis of Palestine, overtop Jerusalem, that most ancient, noble, and venerable city, the source of our Religion.

It was, indeed, the general rule and practice to conform the privileges of ecclesiastical dignity in a proportion convenient to those of the secular government, as the Synod of Antioch in express terms did ordain; the ninth Canon whereof runneth thus: *The Bishops in every province ought to know, that the Bishop presiding in the metropolis shall undertake the care of all the province; because*

<sup>p</sup> Ἡ μητρόπολις ἔστι τῆς Συρίας, μεγίσθους ἔνεκα καὶ τῆς ἀλλης αὔριον τρίτου ἀδηρίτως ἐν τῆς ἵπδ Ρωμαίοις οἰκουμένης ἔχουσα οὐσία.—Joseph. de Bello Jud. III. 3.

<sup>q</sup> Πόλις οὕτω μεγάλη, καὶ τῶν ἵπδ τὴν ἐω κειμένων ἡ κεφαλή.—γεω. Ἀνδρ. Β. [Opp. Tom. VI. p. 463.]

<sup>r</sup> Τί δ' ἀν γένετο ταῖς κατὰ τὴν οἰκουμένην ἐκκλησίαις τῆς Ἀντιοχείας ἐπικαιρώτερον; ἦν εἰ συνέβη πρὸς ὄμονοιαν ἐπανελθεῖν, οὐδὲν ἀλινε, ὀσπέρ κεφαλὴν ἐρρωμένην, παντὶ τῷ σώματι ἐπιχορηγεῖν τὴν οἰκουμένην.—Ep. LXVI. ad Athanas. [Opp. Tom. III. p. 159 E.]

*all that have business do meet together in the metropolis; whence it hath been ordained, that he should precede in honour, and that the Bishops should do nothing extraordinary without him; according to a more ancient Canon holding from our Fathers<sup>1</sup>; (that is, according to the thirty-fourth Canon of the Apostles<sup>2</sup>).*

It is true, that the Fathers do sometimes mention the Church of Rome being founded by the two great Apostles, or the succession of the Roman Bishop to them in pastoral charge, as a special ornament of that Church, and a congruous ground of respect to that Bishop, whereby they did honour the memory of St Peter<sup>3</sup>: but even some of those, who did acknowledge this, did not avow it as a sufficient ground of pre-eminence; none did admit it for an argument of authoritative superiority.

St Cyprian did call the Roman See *The chair of St Peter, and The principal Church<sup>4</sup>*; yet he

<sup>1</sup> Τοὺς ἐν ἐκάστη ἐπαρχίᾳ ἐπισκόπους εἰδέναι χρὴ τὸν ἐν τῇ μητροπόλει προεστῶτα ἐπίσκοπον, (καὶ) τὴν φροντίδα ἀναδέχεσθαι τάσις τῆς ἐπαρχίας, διὰ τὸ ἐν τῇ μητροπόλει παταχθέν συντρέχειν πάντα τοὺς τὰ πράγματα ἔχοντας. ὅδεν ἔδοξε καὶ τῇ τιμῇ προηγεῖσθαι αὐτῷ, μηδέν τε πράττειν περιττὸν τοὺς λοιποὺς ἐπισκόπους ἀνευ αὐτοῦ, καὶ τὸν ἀρχαῖον κρατήσαντα τῶν πατέρων ἡμῶν κανόνα. —Syn. Ant. Cap. IX. [Bin. Tom. I. p. 507.] [Mansi. Conc. Tom. II. col. 1311 c.] Cf. Syn. Chalc. Act. xv. Can. xvii. [Bin. Tom. III. p. 444 c.] [Mansi. Conc. Tom. VII. col. 365.]

<sup>2</sup> [Al. XXXIII. Τοὺς ἐπισκόπους ἐκάστου ἔθρους εἰδέναι χρὴ τὸν ὁ αὐτοῖς πρώτον, καὶ ἡγεῖσθαι αὐτὸν ὡς κεφαλὴν, καὶ μηδέν τι πράττειν περιττὸν ἀνευ τῆς ἐκείνου γνώμης. —Bin. Tom. I. p. 10. Mansi. Tom. I. col. 36 c.]

<sup>3</sup> Sedis Apostolicae Primum S. Petri meritum, (qui Princeps est Episcopalis coronæ) Romanæ dignitas civitatis, sacre etiam Synodi firmavit auctoritas. —Valentin. Nov. xxiv. in fin. Cod. Theod.

<sup>4</sup> —— et ad Petri Cathedram atque ad Ecclesiam principalem ——. —Ep. LV. [Opp.] p. 86.

isclaimed any authority of the Roman Bishops above his brethren.

Firmilian did take notice, that Pope Stephanus did glory in the place of his bishopric, and contend that he held the succession of Peter<sup>x</sup>: yet did not he think himself thereby obliged to submit to his authority, or follow his judgment; but sharply did reprehend him, as a favourer of heretics, an author of schisms, and one who had cut himself off from the communion of his brethren.

The Fathers of the Antiochene Synod did confess, *That in writings all did willingly honour the Roman Church, as having been from the beginning the school of the Apostles, and the metropolis of Religion; although yet from the East the instructors of the Christian doctrine did go and reside there; but from hence they desired not to be deemed inferiors; because they did not exceed in the greatness and numerousness of their Church<sup>y</sup>.* They allowed some regard (though faintly and with reservation) to the Roman Church upon account of their Apostolical foundation; they implied a stronger ground of pre-  
tence from the grandeur of that city; yet did not they therefore grant themselves to be inferiors; at least as to any substantial privilege, importing authority.

<sup>x</sup> Atque ego in hac parte juste indignor ad hanc tam apertam manifestam Stephani stultitiam, quod qui sic de Episcopatus in loco gloriatur, et se successionem Petri tenore contendit—. Stephanus qui per successionem Cathedram Petri habere se pretet—. Firmil. apud Cypr. Ep. lxxv. [Opp. p. 148.]

<sup>y</sup> Φέρει μάς γάρ πάσι φιλοτιμίαν τὴν Ρωμαίων ἐκελησίαν ἐν τοῖς ἄμμασιν ὄμολόγουν, ὡς ἀποστόλων φροντιστήριον, καὶ εὐσεβείας πρόσπολιν ἐξ ἀρχῆς γεγενημένην· εἰ καὶ ἐπὶ τῆς ἓν ἐνεδήμησαν αὐτῇ οἱ δόγματος εἰσηγηται· οὐ παρὰ τούτῳ δὲ τὰ δευτερεία φέρειν ἡξιούν, μὴ μεγέθει ἡ πλήθει ἐκελησίας πλεονεκτούσιν.—Σοz. III. 8.

If by Divine right, upon account of his succession to St Peter, he had such pre-eminence, why are the other causes reckoned, as if they could add any thing to God's institution, or as if that did need human confirmation? The pretence to that surely was weak, which did need corroboration, and to be propped by worldly considerations.

Indeed, whereas the Apostles did found many Churches, exercising Apostolical authority over them, (eminently containing the episcopal,) why in conscience should one claim privileges on that score rather than or above the rest? Why should the See of Antioch, *That most ancient and truly Apostolical Church*<sup>a</sup>, where the Christian name began, where St Peter at first (as they say) did sit Bishop for seven years, be postponed to Alexandria? Especially why should the Church of Jerusalem, the seat of our Lord himself, the mother of all Churches<sup>a</sup>, the fountain of Christian doctrine, the first consistory of the Apostles, ennobled by so many glorious performances<sup>b</sup>, (by the life, preach-

<sup>a</sup> Τῆς πρεσβυτάτης καὶ ὅντως ἀποστολικῆς ἐκκλησίας——.—Ep. Synod. Conc. Const. apud Theodor. Hist. Eccl. v. 9. [Opp. Tom. III. p. 717 c.]

Quæ quantumlibet a Petro ante Alexandrinam fuerit institutæ; tamen quoniam præfectura Alexandrina Augustalis dicta——longe præstabat Syriæ præfecturæ, &c. — Baron. Annal. Eccl. ann. LXXX. § 10. [Tom. I. p. 245.]

<sup>b</sup> [Πρῶτος οὗτος (Ἰάκωβος) εἰληφε τὴν καθέδραν τῆς ἐπισκοπῆς φ πεπίστευκε Κύριος τὸν Θρόνον αὐτοῦ ἐπὶ τῆς γῆς πρώτῳ] — Epiphani. [Haeres. LXXXVIII. p. 1039 c.]

Τῆς δέ γη μητρὸς ἀπασῶν τῶν ἐκκλησιῶν τῆς ἐν Ἱεροσολύμοις——.—Ep. Synod. Conc. Const. apud Theodor. Hist. Eccl. v. 9.

<sup>b</sup> Optat. Lib. vi. [cap. 3. — ubi secundum hominem suum natus est Christus; ubi ejus sancta sunt impressa vestigia; ubi ambulaverunt adorandi pedes; ubi ab ipso Filio Dei factæ sunt tot et tantæ virtutes; ubi eum sunt tot Apostoli comitati; ubi est septiformis Ecclesia——.—p. 93.]

ig, miracles, death, burial, resurrection, ascension of our Saviour; by the first preaching of the Apostles, the effusion of the Holy Spirit, the conversion of so many people, and constitution of the first Church, and celebration of the first Synods,) upon these considerations, not obtain pre-eminence to other Churches, but in honour be cast behind divers others; and as to power be subjected to Cæsarea, the Metropolis of Palestine<sup>c</sup>?

The true reason of this even Baronius himself did see and acknowledge; for *That*, saith he, *the ancients observed no other rule in instituting the ecclesiastical sees, than the division of provinces, and the prerogative before established by the Romans, there are very many examples*<sup>d</sup>. Of which examples, that of Rome is the most obvious and notable; and what he so generally asserteth may be so applied thereto, as to avoid all other grounds of its pre-eminence.

X. The truth is, all ecclesiastical presidencies and subordinations, or dependencies of some Bishops on others in administration of spiritual affairs, were introduced merely by human ordinance, and established by law or custom, upon prudential accounts, according to the exigency of things: hence the prerogatives of other Sees did proceed; and hereto whatever dignity, privilege, or

<sup>c</sup> Hier. [Ep. xxxviii. ad Pamphach. Tom. iv. P. ii. col. 330.] Cf. Conc. Nic. Can. vi. [Bin. Tom. i. p. 342.] [Mans. Conc. Tom. ii. col. 67 D.]

<sup>d</sup> *Majores enim in instituendis Sedibus Ecclesiarum, non aliam possesse rationem, quam secundum provinciarum divisionem, et prerogativas a Romanis antea stabilitas, quam plurima sunt exempla.*  
*—Ut supra.*

authority the Pope with equity might at any time claim, is to be imputed.

To clear which point we will search the matter nearer the quick; propounding some observations concerning the ancient forms of discipline, and considering what interest the Pope had therein.

At first each Church was settled apart under its own Bishop and Presbyters; so as independently and separately to manage its own concerns; each was *αὐτοκέφαλος*, and *αὐτόκομος*, governed by its own head, and had its own laws. Every Bishop, as a prince in his own Church, did act freely, according to his will and discretion, with the advice of his ecclesiastical Senate, and with the consent of his people, (the which he did use to consult,) without being controllable by any other, or accountable to any, further than his obligation to uphold the verity of Christian profession, and to maintain fraternal communion in charity and peace with neighbouring Churches did require; in which regard, if he were notably peccant, he was liable to be disclaimed by them as no good Christian, and rejected from communion, together with his Church, if it did adhere to him in his misdemeanours. This may be collected from the remainders of this state in the times of St Cyprian<sup>6</sup>:

<sup>6</sup> Cf. Cypr. Epp. **LII.** **LV.** **LXXII.** **LXXIII.** **LXXVI.**

[*Omnis hic actus populo fuerat insinuandus.*—P. Corn. *apud* Cypr. Ep. **XLVI.** [Opp. p. 60.] *All this business was to have been imparted to the people.*

Secundum arbitrium quoque vestrum, et omnium nostrum commune consilium—ea quæ agenda sunt disponere.—Cypr. Ep. **XL.** [Opp. p. 55.] *To order what was to be done according to your judgment, and the common advice of us all.*

Et limanda plenius ratio, non tantum cum collegis meis, sed

But because little, disjointed, and incoherent bodies were like dust, apt to be dissipated by every wind of external assault or intestine faction; and peaceable union could hardly be retained without some ligature of discipline; and Churches could not mutually support and defend each other without some method of intercourse and rule of confederacy engaging them<sup>1</sup>; therefore for many good purposes (for upholding and advancing the common interests of Christianity, for protection and support of each Church from inbred disorders and dissensions, for preserving the integrity of the faith, for securing the concord of divers Churches, for providing fit pastors to each Church, and correcting such as were scandalously bad or unfaithful) it

*et cum plebe ipsa universa.*—Id. Ep. xxvii. [Opp. p. 39.] *And the reason is more thoroughly to be examined, not only with my colleagues, but with the whole people.*

*Præjudicare ego et soli mihi rem communem vindicare non audeo.*—Id. Ep. xvii. [Opp. p. 27.] *I dare not, therefore, prejudge, nor assume to myself alone a matter which is common to all.*

<sup>1</sup> *Hoc enim et verecundiae et disciplinae et vita ipsi omnium nostrum convenit, ut præpositi cum Clero convenientes; præsente tamen stantium plebe, quibus et ipsis pro fide et timore suo honor abendus est, disponere omnia consilii communis Religione possimus.*—Cypr. Ep. xiii. [Opp. p. 23.] *For it becomes the modesty, discipline, and the manner of our living, that many Bishops meeting together, the people being also present, (to whom respect ought be had for their faith and fear,) we may order all things with the common advice.*

— *quoniam non paucorum, nec Ecclesiae unius, aut unius provinçiae, sed totius orbis haec causa est*—.—Id. ibid. —*because this is the concern, not of a few men or of one Church, or one province, but of the whole world.*

*Idcirco copiosum corpus est sacerdotum*—*ut si quis ex collegio nostro haeresin facere, et gregem Christi lacerare et vastare intaverit, subveniant ceteri*—.—Id. Ep. lxvii. [Opp. p. 116.] *because the clergy is a large body—that if any one of our own city should vent an heresy, and attempt to rend and waste the flock of Christ, the rest might come in to their help.*

η απο τιτοι οι συνισην αινη περι απ ηη απ  
the joint concurrence of divers Bisho  
avail to stop its progress, and to quer  
convenient means of instruction, reprehei  
censure; that if any Church were opp  
persecution, by indigency, by faction, t  
might be engaged to afford effectual su  
relief: for such ends it was needful, tha  
in certain precincts should convene, wi  
to deliberate and resolve about the be

<sup>8</sup> Vid. Can. Apost. [Can. **xxxvi.** (de Synodis.)  
ἔτους σύνοδος γινέσθω τῶν ἐπισκόπων, καὶ ἀνακρινέ  
λους τὰ δόγματα τῆς εὐσεβείας, καὶ τὰς ἐμπιστούσας ἐ  
ἀντιλογίας διαλνέτωσαν.—Mans. Conc. Tom. I. col. 36:

Particularly in the dispensation of Church goods.  
tioch. Can. **xxv.** [Bin. Tom. I. p. 514.] [Mans. Conc.  
1317 d.]

Nov. **cxxxvii.** cap. 4. [Sancti Apostoli et Patres  
*Bis in unoquoque anno, &c.* (Can. Apost. **xxxvi.**) N  
venientes quod ex hujusmodi negligentia multi dive  
impliciti sunt, jubemus omnibus modis unam synodum  
annis in singulis provinciis mense vel Junio vel Se  
convenire quidem apud beatissimos Patriarchas, illos  
ordinati sunt, et qui non habent jus alias Episcopos o  
apud sanctissimos Metropolitas cujusque provinciæ, e

ents to compass them; and that the manner of such proceedings (to avoid uncertain distraction, confusion, arbitrariness, dissatisfaction, and mutinous opposition) should be settled in an ordinary course, according to rules known and allowed by all<sup>b</sup>.

In defining such precincts it was most natural, most easy, most commodious, to follow the divisions of territory or jurisdiction already established in the civil state; that the spiritual administrations, being in such circumstances aptly conformed to the secular, might go on more smoothly and expeditely, the wheels of one not clashing with the other; according to the judgment of the two great Synods, that of Chalcedon and the Trullane; which did ordain, that *If by royal authority any city be, or should hereafter be re-established, the order of the Churches shall be according to the civil and public form!*

Whereas therefore in each nation or province subject to one political jurisdiction there was a Metropolis<sup>k</sup>, or head city, to which the greatest resort was for dispensation of justice, and despatch of principal affairs emergent in that province; it was also most convenient, that also the determination of ecclesiastical matters should be affixed thereto;

<sup>a</sup> Οἰκονομίας ἐκκλησιαστικαῖ.—Conc. Constant. Can. II. [Bin. Tom. I. p. 661 A.] [Mans. Conc. Tom. III. col. 560 B.]

<sup>b</sup> Εἰ δέ τις ἐκ βασιλικῆς ἔξουσίας ἀκανθίσθη πόλις, ἡ αὐθις καυπίνε ἄλλη, τούς πόλειτούς καὶ δημοσίους τύπους καὶ τῶν ἐκκλησιαστικῶν παρουσιῶν ἡ τάξις ἀκολουθεῖτω.—Conc. Chalc. Act. xv. Can. xvii. [Bin. Tom. III. p. 444 D.] [Mans. Conc. Tom. VII. col. 364 B.] et Conc. Trull. Can. xxxviii. [Bin. Tom. V. p. 333 E.] [Mans. Conc. Tom. III. col. 960 E.]

<sup>c</sup> P. Anac. ad Episc. Ital. apud Grat. Dist. xcix. cap. 1. [Corp. Jur. Can. Tom. I. p. 121.] Cf. Greg. VII. Ep. vi. 35. [Bin. Tom. VIII. p. 420, c. 2 B.] [Mans. Tom. XX. col. 283.]

especially considering, that usually those places were opportunely seated; that many persons upon other occasions did meet there; that the Churches in those cities did exceed the rest in number, in opulency, in ability and opportunity to promote the common interest in all kinds of advantages.

Moreover, because in all societies and confederacies of men for ordering public affairs, (for the setting things in motion, for effectual despatch, for preventing endless dissensions and confusions both in resolving upon and executing things,) it is needful, that one person should be authorised to preside among the rest, unto whom the power and care should be intrusted to convoke assemblies in fit season, to propose matters for consultation, to moderate the debates and proceedings, to declare the result, and to see that what is agreed upon may be duly executed<sup>1</sup>; such a charge then naturally would devolve itself upon the Prelate of the Metropolis, as being supposed constantly present on the place; as being at home in his own seat of presidence, and receiving the rest under his wing; as incontestably surpassing others in all advantages answerable to the secular advantages of his city; for that it was unseemly and hard, if he at home should be postponed in dignity to others repairing

<sup>1</sup> *Ad hoc Divinæ dispensationis provisio, gradus et diversos constituit ordines in se distinctos, ut dum reverentiam minores posterioribus exhiberent, et potiores minoribus diligentiam impenderent; una concordia fieret a diversitate contextio, et recte officiorum gereretur administratio singulorum.—Joh. VIII. Ep. xc. [Bin. Tom. vii. p. 40, c. 1 c.] [Mans. Conc. Tom. xvii. col. 82 n.] To this end Divine Providence hath appointed degrees and diverse orders distinct from one another, that while the less reverence the greater, and the greater take care of the less, from this diversity there might arise one frame of concord, and all offices be duly administered.*

thither; for that also commonly he was in a manner the spiritual father of the rest, (Religion being first planted in great cities, and thence propagated to others,) so that the reverence and dependence on colonies to the mother city was due from other Churches to his See.

Wherefore by consent of all Churches, grounded on such obvious reason of things, the presidency in each province was assigned to the Bishop of the Metropolis, who was called the first Bishop, the Metropolitan (in some places the *Primate*<sup>m</sup>, the Archbishop, the Patriarch, the Pope) of the province. The Apostolical Canons call him the first Bishop<sup>n</sup>, (which sheweth the antiquity of this institution;) the African Synods did appoint that name to him as most modest, and calling him Primate in that sense<sup>o</sup>; other ancient Synods style him the Metropolite; and to the Metropolites of the principal cities they gave the title of Archbishop. The Bishops of Rome and Alexandria peculiarly were called Popes; although that name was sometimes deferred to any other Bishop.

During this state of things the whole Church did consist of so many provinces, being *αὐτοκέφαλοι*, independent on each other in ecclesiastical administrations; each reserving to itself the constitution of Bishops, the convocation of Synods, the

<sup>m</sup> *Primas provinciarum*.—Cod. Can. Eccl. Afr. Can. xix. [Bin. Tom. I. p. 716 A.] [Mans. Conc. Tom. II.]

<sup>n</sup> *Tous ἐπισκόπους ἑκάστου ἔθνους εἰδέναι χρὴ τὸν ἐν αὐτοῖς πρώτον*.—Can. Apost. xxxiii. [Bin. Tom. I. p. 10] [Mans. Conc. Tom. I. col. 36 o.] *The Bishops of each nation ought to know the chief among them.*

<sup>o</sup> *Ἐπίσκοπον τῆς πρώτης κάθεδρας*.—Cod. Can. Eccl. Afr. Can. xxxix. [Bin. Tom. I. p. 930 D.] Cf. Grat. Dist. xcix. cap. 3. [Corp. Jur. Can. Tom. I. p. 122.]

enacting of Canons, the decision of causes, the definition of questions; yet so that each province did hold peaceful and amicable correspondence with others; upon the like terms as before each *παροικία*, or episcopal precinct, did hold intercourse with its neighbours. And whoever in any province did not comply with or submit to the orders and determinations resolved upon in those assemblies, was deemed a schismatical, contentious, and contumacious person; with good reason, because he thwarted a discipline plainly conducible to public good; because declining such judgments he plainly shewed that he would admit none, (there not being any fairer way of determining things than by common advice and agreement of pastors;) because he did in effect refuse all good terms of communion and peace.

Thus, I conceive, the metropolitical government was introduced by human prudence following considerations of public necessity or utility. There are, indeed, some who think it was instituted by the Apostles: but their arguments do not seem convincing; and such a constitution doth not (as I take it) well suit to the state of their times, and the course they took in founding Churches.

Into such a channel, through all parts of Christendom, (though with some petty differences in the methods and measures of acting,) had ecclesiastical administrations fallen of themselves; placing a community of reason and imitation insensibly propagating that course; and therein it ran for a good time, before it was by general consent and solemn sanction established.

The whole Church then was a body consisting

of several confederations of Bishops, acting in behalf of their Churches under their respective Metropolitans, who did manage the common affairs in each province; convoking Synods at stated times and upon emergent occasions<sup>p</sup>; in them deciding causes and controversies incident, relating to faith or practice; framing rules serviceable to common edification and decent uniformity in God's service; quashing heresies and schisms, declaring truths impugned or questioned; maintaining the harmony of communion and concord with other provinces adjacent or remote.

Such was the state of the Church, unto which the Apostolical Canons and Constitutions do refer, answerable to the times in which they were framed; and which we may discern in the practice of ancient Synods.

Such it did continue, when the great Synod of Nice was celebrated, which by its authority, (presumed to represent the authority of all Bishops in the world, who were summoned thereto,) backed by the imperial authority and power, did confirm those orders, as they found them standing by more general custom and received rules in most provinces<sup>q</sup>; reducing them into more uniform

<sup>p</sup> Can. Apost. Can. **xxxvi.** [Mans. Conc. Tom. I. col. 36 **ε.**  
See p. 376 of this Treatise.]

Tertull. de Jej. adv. Psych. cap. **xiii.** [Opp. p. 552 **β.**]

Conc. Nic. Can. **v.** [——ίνα οὖν τούτο τὴν πρέπουσαν ἔξτασιν  
λαμβαῆ, καλῶς ἔχειν ἔδοξεν, ἐκάστου ἐνιαυτοῦ καθ' ἐκάστην ἐπαρχίαν  
δίε τοῦ ἔτους συνόδους γίνεσθαι.—Mans. Conc. Tom. II. col. 669 **δ.**]

Conc. Antioch. Can. **xx.** [Διὰ τὰς ἐκλησιαστικὰς χρείας, καὶ  
τὰς τῶν ἀμφισβητουμένων διαλύσεις, καλῶς ἔχειν ἔδοξε συνόδους καθ'  
ἐκάστην ἐπαρχίαν τῶν ἐπισκόπων γίνεσθαι δεύτερον τοῦ ἔτους.—Mans.  
Conc. Tom. II. col. 1316 **ε.**]

<sup>q</sup> Παλαιός τε, ὡς ἴστε, θεσμὸς κεκράτηκε, καὶ τῶν ἀγίων ἐν Νικαιᾷ

practice; so that what before stood upon reason, customary usage, particular consent, by so august sanction did become universal law; and did obtain so great veneration, as by some to be conceived everlasting and immutably obligatory; according to those maxims of Pope Leo.

It is here further observable, that whereas divers provinces did hold communion and intercourse; so that upon occasion they did (by their formed letters) render to one another an account of their proceedings, being of great moment, especially of those which concerned the general state of Christianity and common faith; calling, when need was, for assistance one of another, to resolve points of faith, or to settle order and peace; there was in so doing a special respect given to the Metropolites of great cities: and to prevent dissensions, which naturally ambition doth prompt men to, grounded upon degrees of respect, an order was fixed among them, according to which in subscriptions of letters, in accidental congresses, and the like occasions, some should precede others; (that distinction being chiefly and commonly grounded on the greatness, splendour, opulence of cities; or following the secular dignity of them;) whence Rome had the first place, Alexandria the second, Antioch the third, Jerusalem the fourth, &c.

Afterward, Constantine having introduced a new partition of the Empire, whereby divers provinces were combined together into one territory,

Πατέρων ὅρος——.—Ep. Syn. Conc. Constant. apud Theodor. Eccl. Hist. v. 9. [Opp. Tom. III. p. 717 B.]

‘Υπέρ τοῦ πάντα ἐν πάσῃ παροκίᾳ φυλάγγεσθαι.—Conc. Nic. Cap. xx. [Mansi. Conc. Tom. II. col. 677 B.]

er the regiment of a vicar, or a lieutenant of a *fectus-prætorio*<sup>r</sup>, which territory was called a ese; the ecclesiastical state was adapted in conity thereto; new ecclesiastical systems, and a sort of spiritual heads thence springing up; so in each diocese, consisting of divers provinces, an ecclesiastical *Exarch*<sup>u</sup> (otherwise sometimes called 'rimate, sometimes a *Diocesan*<sup>t</sup>, sometimes a riarch<sup>u</sup>) was constituted, answerable to the civil rch of a diocese; who by such constitution did in a like authority over the Metropolitans of inces, as they had in their province over the rops of cities; so that it appertained to them to

Zos. Lib. II. [cap. 33. Κωνσταντίνος δὲ τὰ καλῶς καθεστῶτα κανὼν ὥστα ἐς τίσταρας διῆλεν ἀρχάς, &c. For an account of these ons, see Gibbon, Vol. II. p. 310, Dr Wm. Smith's Edition.] is Rufus, Brev.

<sup>r</sup>Ἐξηκολούθησα τῷ ἀξάρχῳ μον.—Conc. Chalc. Act. x. [Bin. III. p. 388 c.] [Mans. Conc. Tom. IV. col. 237 D.]

Διουκήτης.—Epist. Orient. ad Rufum in Conc. Eph. [Bin. II. p. 396 A.] [Mans. Conc. Tom. IV. col. 1416 E.] Cf. Grat. XCIX. capp. 1, 2. [Corp. Jur. Can. Tom. I. pp. 121, 2.]

Οἱ δοτικάτοις πατριάρχαι διουκήσεως ἐκάστης.—Conc. Chalc. II. [Bin. Tom. II. p. 211 D.] [Mans. Conc. Tom. VI. col. 954 B.] phesi τῷ πατριαρχικῷ δίκαιον.—Evag. III. 6.

τοῖς μὲν ἀξάρχους τῶν διουκήσεων τοὺς πατριάρχους φασί.—Zon. I. Can. Chalc.

ovell. CXXXVII. cap. 5. [Non solum autem in anniversariis illa ista queri volumus, sed etiam quoties quidam sacerdotum clericorum, vel abbatum, vel monachorum accusabuntur, vel de aut turpi vita, aut ob aliquid aliud contra sacros Canones adiun. Et si quidem Episcopus est is qui accusatus est, ejus opolitanus examinet ea quae dicta sunt: si vero Metropolita sit, ejus beatissimus Archiepiscopus sub quo degit.] et CXXX. 10. [See p. 376 of this Treatise.]

ndo Episcorum quadripartitus est, id est, in Patriarchis, iepiscopis, Metropolitanis, atque Episcopis.—Isid. apud Grat. XXI. cap. 1. [§ 1. Corp. Jur. Can. Tom. I. p. 27.]

lionysius Ex. translates ἔξαρχον, *primatem*, in Syn. Chalc. Can. VII.

call together the Synods of the whole diocese, to preside in them, and in them to despatch the principal affairs concerning that precinct, to ordain Metropolitans, to confirm the ordinations of Bishops, to decide causes and controversies between Bishops upon appeal from provincial Synods.

Some conceive the Synod of Nice did establish it; but that can hardly well be; for that Synod was held about the time of that division, (after that Constantine was settled in a peaceful enjoyment of the empire,) and scarce could take notice of so fresh a change in the state; that doth not pretend to innovate, but professeth in its sanctions specially to regard ancient custom, saving to the Churches their privileges of which they were possessed<sup>x</sup>; that only mentioneth provinces, and representeth the Metropolitans in them as the chief governors ecclesiastical then being; that constituteth a peremptory decision of weighty causes in provincial Synods, which is inconsistent with the diocesan authority; that taketh no notice of Constantinople, the principal diocese in the east, as seat of the Empire; (and the Synod of Antioch<sup>y</sup> insisting in the footsteps of the Nicene, doth touch only Metro-

<sup>x</sup> Ὁπερ οὖτε δὲ κανὼν, οὖτε ἡ συνήθεια παρέδωκεν——. —Conc. Nic. Can. xviii. [Bin. Tom. I. p. 344.] [Mans. Conc. Tom. II. col. 676 d.]

Τὰ ἀρχαῖα ἡθη κρατεῖτω——. —Can. vi. [Bin. p. 342.] [Mansi. col. 669 E.]

Ἐπειδὴ συνήθεια κεκράτηκε καὶ παράδοσις ἀρχαῖα——. —Can. vii. [Bin. p. 342.] [Mansi. col. 672 B.]

Ομοίως δὲ καὶ κατὰ τὴν Ἀντιόχειαν, καὶ ἐν ταῖς ἀλλαῖς ἐπαρχίαις τὸ πρεσβεῖα σώζεσθαι ταῖς ἐκκλησίαις. —Can. vi. [Bin. p. 342.] [Mansi. col. 672 A.]

<sup>y</sup> Conc. Antioch. [Can. xix. Bin. Tom. I. p. 511.] [Mansi. Conc. Tom. II. col. 1316 c.] Ἐπίσκοπον μὴ χειροτονεῖσθαι δίχα συνόδου, καὶ παρουσίας τοῦ ἐν τῇ μητροπόλει τῆς ἐπαρχίας.]

politans, and the Synod of Laodicea<sup>a</sup> doth only suppose that order). In fine, that Synod is not recorded by any old historian to have framed such an alteration; which, indeed, was so considerable, that Eusebius, who was present there, could not well have passed it over in silence.

Of this opinion was the Synod of Carthage, in their Epistle to Pope Celestine I.<sup>a</sup> who understood no jurisdiction but that of Metropolitans to be constituted in the Nicene Synod.

Some think the Fathers of the Second General Synod did introduce it, seeing it expedient that ecclesiastical administrations should correspond to the political: for they did innovate somewhat in the form of government; they do expressly use the new word diocese, according to the civil sense, as distinct from a province; they do distinctly name the particular dioceses of the oriental empire, as they stood in the civil establishment; they do prescribe to the Bishops in each diocese to act unitedly there, not skipping over the bounds of it; they order a kind of appeal to the Synod of the diocese, prohibiting other appeals<sup>b</sup>: the historians

<sup>a</sup> Τοὺς ἐπισκόπους κρίσει τῶν μητροπολιτῶν, καὶ τῶν πέριξ ἐπι-  
τάκτων καθιστασθαι——.—Conc. Laod. cap. XII. [Bin. Tom. I.  
l. 298.] *The Bishops should be constituted by the judgment of the  
Metropolitans and the neighbouring Bishops.*

<sup>a</sup> [Bin. Tom. I. p. 927.] [Mans. Conc. Tom. IV. col. 516 A.  
—decreta Nicena sive inferioris gradus clericos, sive ipso  
Piscopos, suis Metropolitanis apertissime commiserunt.]

<sup>b</sup> Εἰ δὲ συμβαίνει ἀνατῆσαι τοὺς ἑπαρχῶτας πρὸς διόρθωσιν ἐπιφε-  
μένων ἐγκλημάτων τῷ ἐπισκόπῳ, τότε αὐτὸν προσιέναι μείζονι συνόδῳ  
ἢ τῆς διοικήσεως ἐπισκόπου ἐκείνης, ὑπέρ τῆς αἰτίας ταύτης συγκα-  
ουμένων——.—Conc. Const. Can. VI. [Bin. Tom. I. p. 662 o.]  
Mans. Conc. Tom. III. col. 561 D.] *But if it so happen that the  
Bishops of any province cannot rectify those things which are laid to*

expressly do report of them, that they did distinguish and distribute dioceses, that they did constitute patriarchs, that they did prohibit that any of one diocese should intrude upon another<sup>c</sup>.

But if we shall attently search and scan passages, we may perhaps find reason to judge, that this form did soon after the Synod of Nice creep in, without any solemn appointment, by spontaneous assumption and submission, accommodating things to the political course; the great Bishops (who by the amplification of their city, in power, wealth, and concourse of people, were advanced in reputation and interest) assuming such authority to themselves; and the lesser Bishops easily complying: and of this we have some arguments. Cyril, Bishop of Jerusalem, being deposed and extruded by Acacius<sup>d</sup>, Metropolitan of Palestine, did appeal to a greater judicatory<sup>e</sup>; being the first (as Socrates noteth) who ever did use that course;

*the charge of a Bishop, they shall then go to a greater Synod of the Bishops of that diocese, met together for that purpose.*

<sup>c</sup> The Fathers of Constantinople, in their Synodic Epistle, distinguish the province and diocese of Antioch, *οἱ τε τῆς ἐπαρχίας, καὶ τῆς ἀνατολικῆς διοικήσεως συνδραμόντες*.—Theodor. Eccl. Hist. v. 9. [Opp. Tom. III. p. 717 D.]

*Kαὶ πατριάρχας κατίστησαν, διανεμάμενοι τὰς ἐπαρχίας.*—Socr. v. 8.

*'Εν ἐκείνῃ γὰρ τῇ βασιλευούσῃ πόλει συνελθόντες οἱ μακάριοι πατέρες, συμφώνως τοῖς ἐν τῇ Νικαίᾳ συναθροισθεῖσι τὰς διοικήσεις διέκρινον, καὶ ἐκάστῃ διοικήσει τὰ ἑαυτῆς ἀπένειμαν, ἀντικρυς ἀπαγορεύονται οἱ ἔτερας τινὰς διοικήσεως ἔτερῷ μὴ ἐπιέναι.*—Theodor. Ep. LXXXVI. (ad Flavianum.) [Opp. Tom. III. p. 963 D.] *For, says Theodoret, the blessed Fathers meeting together in the imperial city, distinguished dioceses agreeably to what the Nicene Fathers had done, and allotted to every diocese what belonged to it: on the contrary charging that no one of one diocese should encroach upon another.*

<sup>d</sup> Cf. Theodor. II. 22. Soz. IV. 25.

<sup>e</sup> *Βιβλίον τοῖς καθελοῦσι διαπεμφάμενος μεῖζον ἐπεκαλέσατο διεστήριον*.—*Τοῦτο μὲν οὖν μόνος καὶ πρώτος παρὰ τὸ σύνθετον ἐκκλησιαστικῷ κανόνι Κύριλλος ἐποίησεν*.—Socr. II. 40.

ecause, it seemeth, there was no greater in being ill about that time; which was some years before the Synod of Constantinople, in which there is mention of a greater Synod of the diocese<sup>l</sup>.

There was a convention of Bishops of the Pontic diocese at Tyana<sup>g</sup>, distinguished from the Asiatic Bishops, whereof Eusebius of Cæsarea is reckoned, in the first place, as president, in the time of Valens.

Nectarius, Bishop of Constantinople, is said by the Synod of Chalcedon to have presided in the Synod of Constantinople<sup>h</sup>.

A good argument is drawn from the very Canon of the Synod of Constantinople itself; which doth speak concerning *Bishops over dioceses*<sup>i</sup>, as already constituted, or extant; not instituting that order of Bishops, but supposing it, and together with an implicit confirmation regulating practice according to it, by prohibiting Bishops to leap over the bounds of their diocese, so as to meddle in the affairs of other dioceses; and by ordering appeals to the Synod of a diocese<sup>k</sup>.

Of authority gained by such assumption and concession, without law, there might be produced divers instances. As particularly that the See of

<sup>l</sup> [See note (<sup>k</sup>) below.]

<sup>g</sup> Soz. vi. 12. [Κατ' ἑκένον δὲ τὸν καιρὸν σύνοδον ἀγύντων ἐν  
ταῖς Εὐστέβιον τοῦ ἐπισκόπου τῆς Καππαδοκῶν Καισαρείας, Ἀθανά-  
τιον τε τοῦ Ἀγκύρας, &c.]

<sup>h</sup> Τῶν δὲ Νεκτάριος σὺν Γρηγορίῳ ἡγεμονίαν ἔπαρο.—(In proshpo-  
letico ad Imper.) [Conc. Chalced. Pars iii. Bin. Tom. iii. p. 469 A.]  
Mans. Conc. Tom. vii. col. 464 c.]

<sup>i</sup> Τοὺς ὑπὲρ διοικησιῶν ἐπισκόπους —.—Conc. Const. Can. ii.  
[Bin. Tom. i. p. 660.] [Mans. Conc. Tom. iii. col. 560 A.]

<sup>k</sup> Προστίναι μείζον συνόδῳ τῶν τῆς διοικήσεως ἐπισκόπων ἐκείνης.  
—Can. vi. [Bin. p. 662 D.] [Mans. col. 661 E.]

Constantinople did assume to itself ordination, and other acts of jurisdiction, in three dioceses, before any such power was granted to it by any synodical decree; the which to have done divers instances shew; some whereof are alleged in the Synod of Chalcedon<sup>1</sup>; as St Chrysostom, of whom it is there said, *That going into Asia he deposed fifteen Bishops, and consecrated others in their room*<sup>m</sup>. He also deposed Gerontius<sup>n</sup>, Bishop of Nicomedia, belonging to the diocese of Pontus.

Whence the Fathers of Chalcedon did aver, *That they had in a Synod confirmed the ancient custom which the Holy Church of God in Constantinople had, to ordain Metropolitans in the Asian, Pontic, and Thracian dioceses*<sup>o</sup>. The which custom (consistent with reason, and becoming the dignity of the empire, and grateful to the court) that great Synod did establish<sup>p</sup>, although the Roman Church, out of jealousy, did contest and protest against it.

But the most pertinent instances are those of the Roman, Alexandrine, and Antiochene Churches, having by degrees assumed to themselves such power over divers provinces; in imitation of which Churches, the other diocesan Bishops

<sup>1</sup> Conc. Chalc. Act. xvi. [Bin. Tom. iii. p. 463.] [Mans. Conc. Tom. vii. col. 452 c.]

<sup>m</sup> Ο ἐν ἀγίοις Ἰωάννης ἐπίσκοπος Κωνσταντινουπόλεως δεκατίης ἐπισκόπους καθεδεῖν, ἀπελθὼν ἐν Ἀσίᾳ, καὶ ἔχειροτόνησεν ἄλλους ἐν αὐτῶν.—Act. xi. [Bin. p. 411 a.] [Mans. Conc. Tom. vii. col. 293 a.]

<sup>n</sup> Soz. viii. 6.

<sup>o</sup> Τὸ δὲ γὰρ ἐκ πολλοῦ κρατῆσαν ἔθος, ὅπερ ἔσχεν ἡ Κωνσταντινοπόλεων ἀγία τοῦ Θεοῦ ἐκκλησία εἰς τὸ χειροτονεῖν μητροπολίτας τῶν διοικήσεων τῆς τε Ἀσιανῆς, καὶ Ποντικῆς, καὶ Θρακικῆς καὶ τῶν περὶ συνοδικὴν ἐκυρώσαμεν ψῆφον.—Syn. Chalc. in Epist. ad P. Leonem. [Bin. Tom. iii. p. 475 b.]

<sup>p</sup> Syn. Chalc. Act. xvi. [Bin. p. 462.] [Mans. Conc. Tom. vii. col. 452 c.]

may well be thought to have enlarged their jurisdiction.

This form of government is intimated in the Synod of Ephesus, by those words in which dioceses and provinces are distinguished: *And the same shall be observed in all dioceses and all provinces everywhere*<sup>9</sup>.

However, that this form of discipline was perfectly settled in the times of the Fourth General Synod is evident by two notable Canons thereof, wherein it is decreed, that *If any Bishop have a controversy with the Metropolitan of his province, he shall resort to, and be judged by, the Exarch of the diocese, or by the See of Constantinople*<sup>10</sup>.

This was a great privilege conferred on the Bishop of Constantinople; the which perhaps did ground (to be sure it did make way for) the plea of that Bishop to the title of *Œcumene Patriarch*, or *Universal Bishop*, which Pope Gregory did so exagitate; and, indeed, it soundeth so fairly toward it, that the Pope hath nothing comparable to it to allege in favour of his pretences; this being the decree of the greatest Synod that ever was held among the ancients, where all the Patriarchs did concur in making these decrees; which Pope Gregory did reverence as one of the Gospels. If any

<sup>9</sup> Τὸ δὲ αὐτὸ καὶ ἐπὶ τῶν ἀλλων διοικήσεων καὶ τῶν ἀπανταχοῦ περιχών παραφύλαχθήσεται.—Syn. Eph. Decret. Syn. [Bin. Tom. p. 426 B.] [Mansi. Conc. Tom. iv. col. 1469 B.] There is mention dioceses in Strabo.

<sup>10</sup> Εἰ δὲ πρὸς τὸν τῆς αὐτῆς ἐπαρχίας μητροπολίτην, ἐπίσκοπος, ἡ θραύσ, ἀμφισβητούν, καταλαμβανέτω ἡ τὸν ἔξαρχον τῆς διοικήσεως, ἡ πρ τῆς βασιλευούσης Κωνσταντινουπόλεως θρόνον, καὶ ἐπ' αὐτῷ δικαζέται.—Syn. Chalc. Can. ix. [Bin. Tom. iii. p. 442 F.] [Mansi. Conc. Tom. vii. col. 361 D.] Cf. Can. xvii. [Bin. p. 444 D.] [Mansi. col. 15 B.]

ancient Synod did ever constitute any thing like to universal monarchy, it was this; wherein a final determination of greatest causes was granted to the See of Constantinople, without any exception or reservation: I mean as to semblance, and the sound of words; for as to the true sense, I do indeed conceive that the Canon did only relate to causes emergent in the eastern parts; and probably it did only respect the three dioceses (of Asia, Pontus, and Thrace) which were immediately subjected to his patriarchal jurisdiction.

Pope Nicholas I. doth very jocularly expound this Canon; affirming that by the Primate of the diocese is understood the Pope, (diocese being put by a notable figure for dioceses<sup>5</sup>,) and that an appeal is to be made to the Bishop of Constantinople only by permission, in case the party will be content therewith.

We may note, that some provincial Churches were by ancient custom exempted from dependence on any Primacy or Patriarchate. Such an one the Cyprian Church was adjudged to be in the Ephesine Synod; wherein the privileges of such Churches were confirmed against the invasion of greater Churches, and to that purpose this general Law enacted: *Let the same be observed in all dioceses and provinces everywhere, that none of the Bishops most beloved of God invade another province which did not formerly belong to him or his predecessors: and if any one have invaded one,*

<sup>5</sup> Quem autem Primatem dioceseos S. Synodus dixerit, propter Apostoli primi vicarium, nullus penitus intelligitur. — tantumdem valet dixisse Primatem dioceseos, quantum si perhiberetur dioceseon.—P. Nich. I. Ep. viii. [Bin. Tom. vi. p. 507, c. 18.] [Mans. Conc. Tom. xv. col. 201E.]

*lently seized it, that he restore it<sup>t</sup>.* Such a was that of Britain anciently, before Austin produce the papal authority here, against that as by divers learned pens hath been shewed. as the Church of Afric, as by their Canons transmarine appeals, and about all other doth appear.

is supposed by some, that discipline was yet one peg higher, by setting up the Patriarchs higher than Primates, or diocarchs<sup>s</sup>: but I find no ground of this except in one case; that is, of the Bishop of Constantinople being set above the Bishops of Cæsarea, and Heraclea, which were the heads of the three dioceses.

is a notable fib which Pope Nicholas II. as Gratian citeth him: *That the Church instituted all patriarchal supremacies, all metropolitan Primacies, episcopal Sees, all Ecclesiastical orders and dignities whatsoever<sup>x</sup>.*

things standing thus in Christendom, we

ἐ αὐτὸν καὶ ἐπὶ τῶν ἀλλοι διοικήσεων καὶ τῶν ἀπαρταχοῦ ἀραφυλαχθῆσται, ὥστε μηδένα τῶν θεοφιλεστάτων ἀπισκόπων τέραν, οὐκ οὐσαν ἀνωθεν, καὶ ἐξ ἀρχῆς ὑπὸ τὴν αὐτοῦ, ἥγουν τοῦ χείρα, καταλαμβάνειν. ἀλλ' εἰ καὶ τις κατέλαβε, καὶ ὑφ' ἀντίτιται βιασάμενος, τοῦτον ἀποδιδόναι, &c.—Conc. Eph. n. [Bin. Tom. II. p. 426 B.] [Mans. Conc. Tom. IV. col.

apud Grat. Dist. XXI. cap. I. [§ 2. Corp. Jur. Can. 27. Patriarcha, Graeca lingua, summus Patrum inter- quia primum, id est, Apostolicum retinet locum; et ideo, eo honore fungitur, tali nomine censemur, sicut Romanus, us, et Alexandrinus.]

es sive Patriarchii cuiuslibet apices, sive Metropoleon aut Episcopatum Cathedras, vel Ecclesiarum cuiuslibet dignitates instituit Romana Ecclesia.—P. Nic. II. apud XXII. cap. I. [Corp. Jur. Can. Tom. I. p. 29.]

may, concerning the interest of the Roman Bishop in reference to them, observe,

1 In all these transactions about modelling the spiritual discipline, there was no Canon established any peculiar jurisdiction to the Bishop of Rome, only the

2 Synod of Nice did suppose that he by custom did enjoy some authority within certain precincts of the west, like to that which it did confirm to the Bishop of Alexandria in Egypt, and the countries adjacent thereto.

3 The Synods of Constantinople did allow him honorary privileges, or precedence before all other Bishops, assigning the next place after him to the Bishop of Constantinople<sup>9</sup>.

4 In other privileges the Synod of Chalcedon<sup>10</sup> did equal the See of Constantinople to the Roman.

5 The Canons of the two First and Fourth General Synods, ordering all affairs to be dispatched, and causes to be determined in metropolitan or diocesan Synods, do exclude the Roman Bishop from meddling in those concerns.

6 The Popes (out of a humour natural to them, to like nothing but what they did themselves, and which served their interests) did not relish those Canons, although enacted by Synods which themselves admitted for oecumenical. *That subscription of some Bishops made above sixty*

<sup>9</sup> Τὸν μὲν τοις Κωνσταντινουπόλεως ἐπίσκοπον ἔχει τὰ πρεσβεῖα τῆς τιμῆς μετὰ τὸν τῆς Ῥώμης ἐπίσκοπον, διὰ τὸ εἶναι αὐτὴν νέαν Ῥώμην.—Conc. Const. Can. III. [Bin. Tom. I. p. 661.] [Mans. Conc. Tom. III. col. 560 c.]

<sup>10</sup> Οἱ δὲ θεοφιλέστατοι ἐπίσκοποι τὰ ἵστα πρεσβεῖα διπέμπει τῆς τῆς νέας Ῥώμης ἀγιωτάτην θρόνῳ.—Conc. Chalc. Act. XVI. [Bin. Tom. III. p. 452 E.] [Mans. Conc. Tom. VII. col. 428 c.]

ars since, as you boast, does no whit favour your persuasion; a subscription never transmitted to the knowledge of the Apostolic See by your predecessors, which from its very beginning being weak, and long since ruinous, you endeavour now too late and unprofitably to revive<sup>a</sup>. So doth Pope Leo I. treat the Second Great Synod, writing to Anatolius; and Gregory speaking of the same says, that *The Roman Church has not the Acts of that Synod, or received its Canons<sup>b</sup>.*

7 Wherefore in the West they did obtain no effect, so as to establish diocesan Primacies there. The Bishops of cities, which were heads of dioceses, either did not know of these Canons, (which is probable, because Rome did smother the notice of them,) or were hindered from using them; the Pope having so winded himself in, and got such hold among them, as he would not let go<sup>c</sup>.

<sup>a</sup> Persuasioni enim tuis in nullo penitus suffragatur quorundam episcoporum ante sexaginta, ut jactas, annos facta subscriptio conscriptio, nunquamque a praedecessoribus tuis ad Apostolicas edis transmissa notitiam, cui ab initio sui caducæ dudumque colpera sera nunc et inutilia subjicere fomenta (fulcimenta) voluisti ——. —P. Leo, Ep. cvi. (ad Anatol.) [Opp. Tom. i. col. 1166—7.] id. Epp. civ. cv. cxiv.

<sup>b</sup> Romana autem Ecclesia eosdem Canones vel gesta Synodi us hactenus non habet, nec accepit. —Greg. M. Ep. vii. 34. (ad log. Ep. Alex.) [Opp. Tom. ii. p. 882 d.]

<sup>c</sup> N. B. A Roman Synod, anno 378, consisting of Italian bishops, did give the Pope such a privilege as the Synod of Constantinople did to the Bishop of that See. —(Marc. de Primat. s. 1. p. 103, ex App. Cod. Theodos. Vide Baron.) [Ut autem condidior sit hujus argumenti probatio, ostendendum est Romanum Episcopum tunc temporis eo jure usum, ut primo judicio de Metropolitanorum causis decerneret. Collatam quidem illi aut revatam fuisse potestatem a Concilio Sardicensi de appellationibus episcoporum depositorum cognoscendi, nullus ignorat: sed an illa causa cognitio Metropolitanorum competenteret, nondum aliquis ostavit. Id tamen aperte constitutum est in Concilio Romano ex

8 It, indeed, turned to a great advantage of the Pope, in carrying on his encroachments, and enlarging his worldly interests, that the Western Churches did not, as the Eastern, conform themselves to the political frame in embracing diocesan primacies; which would have engaged and enabled them better to protect the liberties of their Churches from Papal invasions<sup>d</sup>.

9 For hence, for want of a better, the Pope did claim to himself a patriarchal authority over the Western Churches; pretending a right of calling Synods, of meddling in ordinations, of determining causes by appeal to him; of dictating laws and rules to them, against the old rights of Metropolitans, and the later constitutions for Primacies. Of this we have an instance in St Gregory; where he, alleging an imperial constitution importing that in case a clergyman should appeal from his Metropolitan, *The cause should be referred to the Archbishop and Patriarch of that diocess,*

universa Italia coacto, cui Ambrosius intererat, anno 378, et rescripto Gratiani principis confirmatum: *Si in longinquioribus partibus aliquius ferocitas talis emerari, omnino ejus causa dictio ad Metropolitam in eadem provincia Episcopi deducatur examen. Vt, si ipse Metropolitanus est, Romanum necessario, vel ad eos quos Romanus Episcopus judicet dederit, sine dilatatione contendat.* Ediderat hoc rescriptum, sed mendosum, illustrissimus Baronius; castigatum vero, et Synodi Romanæ Epistola auctum publicavit vir eruditissimus Sirmundus, post appendicem Codicis Theodosiani.] But there is difference between a General Synod and an Italian Synod: and what had an Italian Synod to prescribe to all the provinces of the Roman Empire, or rather of the West?—Cf. P. Greg. I. Ep. ix. 8. [Opp. Tom. II. p. 933.]

<sup>d</sup> Balusius thinketh, that Hilarius of Arles did pretend and offer at this primatical power, but Pope Leo did mainly check and quash his attempt.—Apud Marc. de Con. v. 32. [§ 9. Tom. II. p. 97. Part of the Fifth Book of this Treatise, from chap. xix. to the end, was supplied by Balusius.]

*ho judging according to the Canons and Laws  
would give an end thereto<sup>o</sup>; doth consequentially  
ssume an appeal from a Bishop to himself, ad-  
joining, *If against these things it be said that the  
Bishop had neither Metropolitan nor Patriarch, it  
is to be said that this cause was to be heard and  
decided by the Apostolical See, which is the head of  
all Churches<sup>1</sup>.**

10 Having got such advantage, and, as to  
xtent, stretched his authority beyond the bounds  
of his *suburbicarian precincts*<sup>2</sup>, he did also intend  
it in quality far beyond the privileges by any Ec-  
clesiastical Law granted to Patriarchs, or claimed  
or exercised by any other Patriarch; till at length,  
by degrees, he had advanced it to an exorbitant  
omnipotency, and thereby utterly enslaved the  
Western Churches.

The ancient order did allow a Patriarch or Pri-  
nate to call a Synod of the Bishops in his diocese,  
and with them to determine Ecclesiastical affairs  
by majority of suffrages: but he doth not do so;  
but setting himself down in his chair, with a few  
of his courtiers about him, doth make decrees and  
ictates, to which he pretendeth all must submit.

The ancient order did allow a Patriarch to or-  
din Metropolitans duly elected in their dioceses;  
aving Bishops to be ordained by the Metropolitans

<sup>o</sup> *Et si quis judicatis contradixerit, ad beatissimum Archiepis-  
pum et Patriarcham dioecesos illius referatur causa, et ille se-  
cundum Canones et Leges huic præbeat finem.—Apud P. Greg. I.  
p. XIII. 45. [Opp. Tom. II. p. 1254 B.]*

<sup>1</sup> *Contra haec si dictum fuerit, quia nec Metropolitam habuit nec  
Patriarcham, dicendum est quia a Sede Apostolica, quæ omnium  
ecclesiarum caput est, causa haec audienda ac dirimenda fuerat.  
Id. ibid.*

<sup>2</sup> *Ruffin. Hist. I. 6.*



infallible secretary, which he pretendeth in the force of Laws, equal to the highest in the whole Church.

The ancient order did suppose Bishop ordination sufficiently obliged to render Patriarch due observance, according to the being liable to be judged in a Synod transgression of his duty; but he forces bishops to take the most slavish oaths of to him that can be imagined.

The ancient order did appoint, that accused for offences should be judged in provinces; or, upon appeal from them, in particular Synods: but he receiveth appeals at the Synod and determineth them in his court, without such a Synod in an age for any such purpose.

The ancient Patriarchs did order all to become good subjects, with leave and under mission to the Emperor, who as he pleased interpose his confirmation of their sanctity: this man pretendeth to decree what he pleases without the leave and against the will of

11 In all the transactions for modelling the Church, there never was allowed to the Pope any dominion over his fellow-Patriarchs, or of those great Primates who had assumed that name to themselves<sup>h</sup>; among whom, indeed, for the dignity of his city, he had obtained a priority of honour or place; but never had any power over them settled by a title of Law, or by clear and uncontested practice. Insomuch, that if any of them had erred in faith, or offended in practice, it was requisite to call a General Synod to judge them; as in the cases of Athanasius, of Gregory Nazianzen and Maximus, of Theophilus and St Chrysostom, of Nestorius and of Dioscorus, is evident.

12 Indeed, all the oriental Churches did keep themselves pretty free from his encroachments, although, when he had swollen so big in the West, he sometimes did take occasion to attempt on their liberty; which they sometimes did warily decline, sometimes stoutly did oppose. But as to the main, those flourishing Churches constantly did maintain a distinct administration from the Western Churches, under their own Patriarchs and Synods, not suffering him to interlope in prejudice to their liberty<sup>i</sup>. They, without his leave or notice, did call and celebrate Synods, (whereof all the first great Synods are instances;) their ordinations were not confirmed or touched by him; appeals were not (with public regard or allowance) thence made to him in causes great or little, but they decided them among themselves: they quashed heresies springing up among

<sup>h</sup> *Ibid. apud Grat. Dist. xxi. cap. 1. [§. 2. Corp. Jur. Can. Tom.*

<sup>i</sup> *p. 27 See p. 391 of this Treatise (note).]*

<sup>1</sup> *Vid. Marc. de Concord. vii. 4 et 5. [Tom. II. pp. 313—320.]*

them, as the Second General Synod the Macedonians, Theophilus, the Origenists, &c. Little in any case had his worship to do with them, or they with him, beyond what was needful to maintain general communion and correspondence with him; which they commonly, as piety obliged, were willing to do. And sometimes, when a pert Pope, upon some incidental advantage of differences risen among them, would be more busy than they deemed convenient in tampering with their affairs, they did rap his fingers: so Victor, so Stephanus, so Julius and Liberius, of old did feel to their smart: so afterwards Damasus and other Popes in the case of Flavianus; Innocent in the case of St Chrysostom; Felix and his successors in the case of Acacius, did find little regard had to their interposals. So things proceeded, till at length a final rupture was made between them, and they would not suffer him at all to meddle with their affairs.

Before I proceed any further, I shall briefly draw some corollaries from this historical account which I have given of the original and growth of metropolitical, primatical, and patriarchal jurisdiction.

- 1 Patriarchs are an human institution.
- 2 As they were erected by the power and prudence of men, so they may be dissolved by the same.
- 3 They were erected by the leave and confirmation of Princes; and by the same they may be dejected, if great reason do appear.
- 4 The Patriarchate of the Pope beyond his own province or diocese doth not subsist upon ~~any~~ Canon of a General Synod.
- 5 He can therefore claim no such power otherwise than upon his invasion or assumption.

6 The Primate<sup>s</sup> and Metropolitans of the Western Church cannot be supposed otherwise than by force, or out of fear, to have submitted to such an authority as he doth usurp.

7 It is not really a patriarchal power, (like to that which was granted by the Canons and Princes,) but another sort of power, which the Pope doth exercise.

8 The most rightful Patriarch, holding false doctrine, or imposing unjust laws, or tyrannically abusing his power, may and ought to be rejected from communion.

9 Such a Patriarch is to be judged by a free Synod, if it may be had.

10 If such a Synod cannot be had by consent of Princes, each Church may free itself from the mischiefs induced by his perverse doctrine or practice.

11 No Ecclesiastical power can interpose in the management of any affairs within the territory of any Prince without his concession.

12 By the Laws of God, and according to ancient practice, Princes may model the bounds of Ecclesiastical jurisdiction, erect Bishoprics, enlarge, diminish, or transfer them as they please.

13 Wherefore each Prince (having supreme power in his own dominions, and equal to what the Emperor had in his) may exclude any foreign Prelate from jurisdiction in his territories.

14 It is expedient for peace and public good that he should do thus.

15 Such Prelate, according to the rules of Christianity, ought to be content with his doing so.

16 Any Prelate, exercising power in the

dominion of any Prince, is *eatenus* his subject; as the Popes and all Bishops were to the Roman Emperors.

17 Those joints of Ecclesiastical discipline, established in the Roman empire by the confirmation of Emperors, were (as to necessary continuance) dissolved by the dissolution of the Roman empire.

18 The power of the Pope in the territories of any Prince did subsist by his authority and favour.

19 By the same reason as Princes have curbed the exorbitancy of Papal power in some cases, (of entertaining Legates, making appeals, disposing of benefices, &c.) by the same they might exclude it.

20 The practice of Christianity doth not depend upon the subsistence of such a form instituted by man.

Having shewed at large that this universal sovereignty and jurisdiction of the Bishop of Rome over the Christian Church hath no real foundation either in Scripture or elsewhere, it will be requisite to shew by what ways and means so groundless a claim and pretence should gain belief and submission to it from so considerable a part of Christendom; and that from so very slender roots (from slight beginnings<sup>k</sup>, and the slimmest pretences one can well imagine) this bulk of exorbitant power did grow, the vastest that ever man on earth did attain, or did ever aim at, will be the less wonderful, if we do consider the many causes which did concur and contribute thereto; some whereof are proposed in the following observations.

1 Eminency of any kind (in wealth, in honour, in reputation, in might, in place, or mere order of

<sup>k</sup> *De pusillo crescere.*—P. Leo, Ep. cv. [Opp. Tom. 1. col. 115<sup>a</sup>.]

gnity) doth easily pass into advantages of real power and command over those who are inferior in those respects, and have any dealings or common transactions with such superiors. For to persons endowed with such eminency by voluntary deference the conduct of affairs is wont to be allowed; one presuming to stand in competition with them, very one rather yielding place to them than to their equals.

The same conduct of things, upon the same accounts, and by reason of their possession, doth continue fast in their hands, so long as they do retain such advantages. Then from a custom of managing things doth spring up an opinion or a retence of right thereto; they are apt to assume a title, and others ready to allow it.

Men naturally do admire such things, and so are apt to defer extraordinary respect to the possessors of them. Advantages of wealth and might are not only instruments to attain, but incentives spurring men to affect the getting authority over their poorer and weaker neighbours: for men will not be content with bare eminency, but will desire real power and sway, so as to obtain their wills over others, and not to be crossed by any. Pope Leo had no reason to wonder that Anatolius, Bishop of Constantinople, was not content with dry honour<sup>1</sup>. Men are apt to think their honour is precarious, and standeth on an uncertain foundation, if it be not supported with real power; and therefore they will not be satisfied to let their advantages lie dead, which are

<sup>1</sup> *Quid illi satisfaciet, si tantæ urbis magnificentia et claritudo non sufficit?*—*Ibid.*

so easily improvable to power, by inveigling some, and scaring or constraining others to bear their yoke: and they are able to benefit and gratify some, and thereby render them willing to submit: those afterwards become serviceable to bring others under, who are disaffected or refractory. So the Bishops of Constantinople and of Jerusalem, at first had only privileges of honour; but afterward they soon hooked in power. Now the Roman Bishop from the beginning was eminent above all other Bishops in all kinds of advantages. He was seated in the imperial city, the place of general resort; thence obvious to all eyes, and his name sounding in all mouths. He had a most numerous, opulent, splendid flock and clergy<sup>m</sup>. He had the greatest income (from liberal oblations) to dispose of. He lived in greatest state and lustre<sup>n</sup>. He had opportunities to assist others in their business, and to relieve them in their wants. He necessarily thence did obtain great respect and veneration. Hence in all common affairs the conduct and presidence were naturally devolved on him, without contest. No wonder then that after some time the Pope did arrive to some pitch of authority over poor Christians, especially those who lay nearest to him; improving his eminency into power, and his pastoral charge into a kind of Empire; according to that observation of Socrates, that long before his time the Roman Episcopacy had advanced itself beyond the priesthood into<sup>o</sup>

<sup>m</sup> Euseb. Eccl. Hist. vi. 43. (an. 254.)

<sup>n</sup> —— Ut ditentur oblationibus matronarum, procedantque vehiculis insidentes, circumspecte vestiti, epulas curantes profusas, adeo ut eorum convivia regales superent mensas.—Am. Marcell. Lib. xxvii. [3. 14.]

potentacy<sup>o</sup>. And the like he observeth to have happened in the Church of Alexandria<sup>p</sup>, upon the like grounds, or by imitation of such a pattern.

2 Any small power is apt to grow and spread itself; a spark of it soon will expand itself into a flame: it is very like to the grain of mustard-seed, <sup>Matt. xiii. 31, 32.</sup> which indeed is the least of all seeds; but when it is grown, it is the greatest among herbs, and becometh a tree, so that the birds of the air come and lodge in the branches thereof<sup>q</sup>. Encroaching, as Plutarch saith, is an innate disease of potentacies. Whoever hath any pittance of it, will be improving his stock; having tasted the sweetness of having his will, (which extremely gratifieth the nature of man,) he will not be satisfied without having more; he will take himself to be straitened by any bounds; and will strive to free himself of all restraints. Any pretence will serve to ground attempts of enlarging power, and none will be balked. For power is bold, enterprising, restless: it always watcheth, or often findeth, never passeth opportunities of dilating itself<sup>r</sup>. Every accession doth beget further advantages to amplify it; as its stock groweth, so it with ease proportionably doth increase; being ever out at use. As it groweth, so

<sup>o</sup> Τῆς Ἐπισκοπῆς δμοίως τῇ Ἀλεξανδρίων πέρα τῆς ιερω-σύνης ἐπι δυναστειαν ἥδη πάλαι προελθούσης.—Hist. Eccl. vii. 11.

<sup>p</sup> VII. 7. [Καὶ γὰρ ἡξ ἑκένουν, ἡ Ἐπισκοπὴ Ἀλεξανδρείας παρὰ τῆς Ἱερουσαλήμ τάξεως καταδυναστεύει τῶν πραγμάτων ἔλαβε τὴν ἀρχήν.]

<sup>q</sup> Τὸ σύμφυτον νόσημα ταῖς δυναστειαῖς, ἡ πλεονεξία.—Plut. in Pyrrh.

<sup>r</sup> Subrependi occasiones non pretermittit ambitio——.—P. Leo I. Ep. cxix. [Opp. Tom. I. col. 1215.]

Facilius crecit dignitas quam incipit.—Sen. Ep. cI.

Primas dominandi spes in arduo; ubi sis ingressus, adeesse studia et ministros.—Tacit. Ann. iv. 7.

its strength to maintain and enlarge itself doth grow: it gaining more wealth, more friends, more associates and dependents. None can resist or obstruct its growth without danger and manifold disadvantages: for as its adherents are deemed loyal and faithful, so its opposers are branded with the imputations of rebellion, contumacy, disloyalty; and not succeeding in their resistance, they will be undone. None ever doth enterprise more than to stop its career; so that it seldom loseth by opposition; and it ever gaineth by composition. If it be checked at one time, or in one place, it will, like the sea, at another season, in another point, break in. If it is sometimes overthrown in a battle, it is seldom conquered in the war. It is always on its march forward, and gaineth ground; for one encroachment doth countenance the next, and is alleged for a precedent to authorize or justify it. It seldom moveth backward; for every successor thinketh he may justly enjoy what his predecessor did gain, or which is transmitted into his possession; so that there hardly can ever be any restitution of ill-gotten power.

Thus have many absolute kingdoms grown; the first chief was a leader of volunteers; from thence he grew to be a prince with stated privileges; after, he became a monarch invested with high prerogatives; in fine, he creepeth forward to be a grand Seignior, usurping absolute dominion: so did Augustus Caesar first only assume the style of Prince of the Senate, demeaning himself modestly as such; but he soon drew to himself the administration of all things; and upon that foundation his successors very suddenly did erect a boundless power. If you

race the footsteps of most Empires to the beginning, you may perceive the like.

So the Pope, when he had got a little power, continually did swell it. The puny pretence of the succeeding St Peter, and the name of the Apostolical See; the precedence, by reason of the imperial city; the honorary privileges allowed him by councils; the authority deferred to him by one Synod of revising the causes of Bishops; the countenance given to him in repressing some heresies, he did improve to constitute himself Sovereign Lord of the Church.

3 Spiritual power especially is of a growing nature, and more especially that which deriveth from Divine institution: for it hath a great awe upon the hearts and consciences of men; which engageth them to a firm and constant adherence. It useth the most subtle arms, which it hath always ready, which needeth no time or cost to furnish, which cannot be extorted from its hand; so that it can never be disarmed. And its weapons make strong impression, because it proposeth the most effectual encouragements to its abettors, and discouragements to its adversaries; alluring the one with promises of God's favour and eternal happiness, terrifying the other with menaces of vengeance from heaven, and endless misery: the which do ever quell religious, superstitious, weak people; and often daunt men of knowledge and courage. It is presumed unchangeable and unextinguishable by any human power, and thence is not (as all other power) subject to revolutions. Hence, like Achilles, it is hardly vincible, because almost immortal. If it be sometimes rebuffed or

impaired, it soon will recover greater strength  
vigour.

The Popes derive their authority from institution; and their weapons always are set of Scripture: they pretend to dispense remissions, and promise heaven to their abettors. excommunicate, curse, and damn the opposition to their designs. They pretend they never can any power that ever did belong to their See. They are always stiff, and they never recede or back: *The privileges of the Roman Church sustain no detriment*.

4 Power is easily attained and augmented upon occasion of dissensions. Each faction doth make itself a head, the chief in strength and reputation which it can find inclinable to favour, and that head it will strive to magnify, till it may be the abler to promote its cause; and cause doth prosper, he is rewarded with a host of privileges and authority: especially those who were oppressed, and find relief by his means, become zealously active for his aggrandizement. Thus usually in civil broils the Captain



grow in power; for thereupon the Sardican ~~had~~ did decree to him that privilege, which he ~~initely~~ enhanced, and which became the main ~~ine~~ of rearing himself so high. And by his ~~posal~~ in the dissensions raised by the Nestorians, the Pelagians, the Eutychians, the Acacians, the Monothelites, the Image-worshippers, and Image-breakers, &c. his authority was advanced; he, adhering in those causes to the prevailing ~~ty~~, was by them extolled, obtaining both reputation and sway.

5 All power is attended by dependencies of persons sheltered under it, and by it enjoying coordinate advantages; the which proportionably grow by its increase. Such persons therefore will ever be inciting their chief and patron to ~~lif~~ his power; and in aiding him to compass ~~hey~~ will be very industriously, resolutely, and ~~dily~~ active, their own interest moving them ~~reto~~. Wherefore their mouths will ever be in crying him up, their heads will be busy in ~~triving~~ ways to further his interests, their care and pains will be employed in accomplishing his ~~igns~~; they with their utmost strength will conduct in his defence against all oppositions.

Thus the Roman clergy first, then the Bishops of Italy, then all the clergy of the West, became engaged to support, to fortify, to enlarge the Papal ~~hority~~; they all sharing with him in dominion over the laity; and enjoying wealth, credit, port, privileges, and immunities thereby. Some ~~hem~~ especially were ever putting him on higher ~~tences~~; and furthering him by all means in his ~~uist~~ and maintenance of them.

6 Hence if a potentate himself should have no ambition, nor much ability to improve his power; yet it would of itself grow, he need only be passive therein; the interest of his partisans would effect it: so that often power doth no less thrive under sluggish and weak potentates, especially if they are void of goodness, than under the most active and able: let the ministers alone to drive on their interest.

7 Even persons otherwise just and good do seldom scruple to augment their power by undue encroachment, or at least to uphold the usurpations of their foregoers: for even such are apt to favour their own pretences, and afraid of incurring censure and blame, if they should part with anything left them by their predecessors. They apprehend themselves to owe a dearness to their place, engaging them to tender its own weal and prosperity, in promoting which they suppose themselves not to act for their own private interest; and that it is not out of ambition or avarice, but out of a regard to the grandeur of their office, that they stickle and bustle; and that in so doing they imitate St Paul, who did magnify his office. They are encouraged hereto by the applause of men, especially of those who are allied with them in interest, and who converse with them; who take it for a maxim, *Boni Principis est ampliare imperium*: the extenders of Empire are admired and commended, however they do it, although with cruel wars, or by any unjust means. Hence usually the worthiest men in the world's eye are greatest enlargers of power; and such men bringing appearances of virtue, ability, reputation, to aid their endeavours, do most easily compass designs of this nature,

Rom. xi.  
13.

iding less obstruction to their attempts; for men are not so apt to suspect their integrity, or to charge them with ambition and avarice; and the few, who discern their aims and consequences of things, are overborne by the number of those who are favourably conceited and inclined toward them.

Thus Julius I., Damasus I., Innocent I., Gregory I., and the like Popes, whom History representeth as laudable persons, did yet confer to the advancement of Papal grandeur. But they who did most advance that interest, as Pope Leo I., Gelasius I., Pope Nicholas I., Pope Gregory VII., in the esteem of true zealots, pass for the best Popes. Hence the distinction<sup>u</sup> between a good man, a good Prince, a good Pope.

8 Men of an inferior condition are apt to express themselves highly in commendation of those who are in a superior rank, especially upon occasion of address and intercourse; which commendations are liable to be interpreted for acknowledgments or testations of right, and thence do sometimes prove means of creating it.

Of the generality of men it is truly said, that it is fondly serve fame, and is stunned with titles and images<sup>x</sup>; readily ascribing to superiors whatever they claim, without scanning the grounds of their title. Simple and weak men, out of abjectness or fear, are wont to crouch, and submit to anything upon any terms. Wise men do not love bargaining, nor will expose their quiet and safety

<sup>u</sup> *Sixtus V.*

<sup>x</sup> — qui famæ servit ineptus,  
Ac stupet in titulis et imaginibus —.

Hor. [Sat. I. vi. 16, 17.]

without great reason; thence being inclinable to comply with greater persons. Bad men, out of design to procure advantages or impunity, are prone to flatter and gloze with them. Good men, out of due reverence to them, and in hope of fair usage from them, are ready to compliment them, or treat them with the most respectful terms. Those who are obliged to them will not spare to extol them; paying the easy return of good words for good deeds.

Thus all men conspire to exalt power; the which snatcheth all good words as true, and construeth them to the most favourable sense; and allegeth them as verdicts and arguments of unquestionable right. So are the compliments, or terms of respect, used by Jerome, Austin, Theodoret, and divers others, toward Popes, drawn into an argument for Papal authority; whenas the actions of such Fathers, and their discourses upon other occasions, do manifest their serious judgment to have been directly contrary to his pretences: wherefore the Emperor of Constantinople, in the Florentine Synod, had good reason to decline such sayings<sup>y</sup> for arguments, for, *If, saith he, any of the saints doth in an Epistle honour the Pope, shall he take that as importing privileges?*<sup>z</sup>

9 Good men commonly (out of charitable simplicity, meekness, modesty and humility, love of peace, and averseness from contention) are apt to yield to the encroachments of those who any-

<sup>y</sup> Τὰ δηγὰ τῶν ἁγίων.

<sup>z</sup> Μῆτως, φησί, τις τῶν ἁγίων ἐν ἐπιστολῇ τιμᾷ τὸν Πάπα, τοι εἰλάθη τοῦτο ἀντὶ προνομίων.—Syn. Flor. Sess. XXV. [Bin. Tom. VIII. p. 848 A.]

ise do excel them; and when such men do yield, thers are ready to follow their example. Bad men have little interest to resist, and no heart to stand for public good; but rather strike in presently, taking advantage by their compliance to drive a good market for themselves. Hence so many of all sorts in all times did comply with Popes, or did not obstruct them; suffering them without great obstacle to raise their power.

10 If in such cases a few wise men do apprehend the consequences of things, yet they can do little to prevent them. They seldom have the courage with sufficient zeal to bustle against encroachments; fearing to be overborne by its stream, to lose their labour, and vainly to suffer by it: if they offer at resistance, it is usually faint and moderate: whereas power doth act vigorously, and rush itself forward with mighty violence; so that it is not only difficult to check it, but dangerous to oppose it.

Ambiguity of words (as it causeth many debtes, so) yieldeth much advantage to the foundation and amplification of power<sup>\*</sup>; for whatever is id of it, will be interpreted in favour of it, and ill afford colour to its pretences. Words innocently or carelessly used are by interpretation tended to signify great matters, or what you please. For instance: The word Bishop may import any kind of superintendency or inspection: whence St Peter came to be reckoned Bishop of Rome, because in virtue of his Apostolical office

<sup>\*</sup> *Ita de vocabulorum occasionibus plurimum quæstiones subor-antur, sicut et de verborum communionibus.*—Tertull. de Resur. carn. liv. [Opp. p. 360 a.]

he had inspection over that Church founded by him, and might exercise some Episcopal acts.

The word head<sup>b</sup> doth signify any kind of eminency; the word Prince, any priority; the word to preside, any kind of superiority or pre-eminence: hence some Fathers attributing those names to St Peter, they are interpreted to have thought him sovereign in power over the Apostles. And because some did give like terms to the Pope, they infer his superiority in power over all Bishops; notwithstanding such Fathers did express a contrary judgment.

The word successor may import any derivation of power: hence because St Peter is said to have founded the Church of Rome, and to have ordained the first Bishop there, the Pope is called his successor.

The word authority doth often import any kind of influence upon the opinions or actions of men, (grounded upon eminence of place, worth, reputation, or any such advantage<sup>c</sup>:) hence because the Pope of old sometimes was desired to interpose his authority, they will understand him to have had right to command or judge in such cases; although authority is sometimes opposed to command, as where Livy saith, that *Evander did hold those*

<sup>b</sup> Τοὺς ἐπισκόπους ἑκάστου ἔθνους εἰδέναι χρὴ τὸν ἐν αὐτοῖς ἀρχόντα, καὶ ἱγεῖσθαι αὐτὸν ὡς κεφαλήν.—Can. Apost. XXXIII. [Bin. Tom. I. p. 10.] [Mans. Conc. Tom. I. col. 36 c.]

<sup>c</sup> Quia duabus Episcopis, quorum ea tempestate summa auctoritas erat non illuserat.—Sulp. Sev. II. 63. *Because he had not deluded the two Bishops who had the greatest authority in those times.*

Non mediocris auctoritatis Episcopus Carthag.—Aug. Ep. CLII. [Ep. XLIII. Opp. Tom. II. col. 91 d.] *The Bishop of Carthage was of no mean authority.*

laces by authority rather than by command<sup>a</sup>; and Tacitus of the German Princes saith, *They are heard rather according to their authority of persuading, than power of commanding*<sup>b</sup>. The word *judge* (saith Canus) is frequently used to signify *to more than, I do think, or conceive*; whereby he loth excuse divers Popes from having decreed a notable error; for Alexander III. says of them: *That they judged, that after a matrimony contracted, not consummated, another may be valid, hat being dissolved*<sup>c</sup>!. Yet if the Pope is said to have judged so or so in any case, it is alleged for a certain argument of proper jurisdiction.

II There is a strange enchantment in words; which being (although with no great colour of reason) assumed, do work on the fancies of men, specially of the weaker sort. Of these power doth ever arrogate to itself such as are most operative, their force sustaining and extending itself.

So divers prevalent factions did assume to

<sup>a</sup> Evander — ea auctoritate magis quam imperio retinebat  
— Liv. I.

<sup>b</sup> — audiuntur, anctoritate suadendi magis, quam jubendi  
estate.— De Mor. Ger. cap. XI.

<sup>c</sup> Verbum, *judico*, frequenter in ea significatione usurpatum, ut  
sit, quod sentio, seu opinor.—Loc. Theol. vi. 8. [p. 215.]  
(Comp. Lib. vi. 1.) [In the Sixth Book of his *Loci Theologici*  
he defends the authority of the Church of Rome: in Chapter I.  
The chief arguments of the opponents of the doctrine are stated,  
the following Chapters they are refuted. Their third argument  
he cites thus: Tertio, Alexander III. de sponsa duorum,—asserit,  
quodam suos praecessores judicasse: quod si matrimonium con-  
tractum per verba de praesenti, non consummatum tamen, aliud  
nouum matrimonium consummetur, primum dirimitur, secundum  
est validum. Hic autem error est sine dubio in fide et moribus  
manifestus, p. 187. In Chapter VI. p. 205, he thus replies: Tertio  
vero arguento nullum negotium est respondere. Nam verbum,  
*judico*, frequenter in ea significatione usurpatum, ut idem sit, quod  
sentio, seu opinor. Quomodo Alexander accipit, cum ait, quo-  
am praecessores suos aliter judicasse.]

themselves the name of Catholic; and the Rom~~e~~ Church particularly hath appropriated that wor~~ship~~ to itself, even so as to commit a bull, implying~~the~~ Rome and the Universe to be the same place~~;~~ and the perpetual canting of this term hath been~~the~~ one of its most effectual charms to weak people~~:~~ *I am a Catholic, that is, an universal; therefore all that I hold is true:* this is their great argument.

The words, *Successor of Peter, Apostolic See*, *Prima Sedes*, have been strongly urged for arguments of papal authority; the which have beyond~~the~~ their true force (for, indeed, they signify nothing)~~;~~ had a strange efficacy upon men of understanding~~;~~ and wisdom.

12 The Pope's power was much amplified by the importunity of persons condemned or extruded~~ed~~ from their places, whether upon just accounts, or wrongfully, and by faction; for they finding no other more hopeful place of refuge and redress, did often apply to him<sup>g</sup>: for what will not men do, whither will not they go in straits?

Thus did Marcian go to Rome, and sue for admission to communion there<sup>h</sup>. So Fortunatus and Felicissimus in St Cyprian, being condemned in Afric, did fly to Rome for shelter; of which absurdity St Cyprian doth so complain<sup>i</sup>. So likewise Marcianus and Basilides, in St Cyprian, being outed of their Sees for having lapsed from the

<sup>g</sup> — ut ad Domini mei tanti Pontificis et piissimi Patris, omnium ad se confugientium tutissimi defensoris ac protectoris, &c.—Rothaldi Appell. (in P. Nich. I. Ep. XXXVII. [Bin. Tom. VI. p. 563, c. 2 d.] [Mans. Conc. Tom. XV. col. 682 b.]) — my lord so great a Pontiff, and most pious a Father, the safe defender and protector of all those that flee unto him for succour.

<sup>h</sup> Cypr. Epp. LXVII, LXVIII.

<sup>i</sup> Ep. LV. ad Cornelium.

Christian profession, did fly to Stephen for succour, to be restored. So Maximus (the Cynic) went to Rome, to get a confirmation of his election to Constantinople. So Marcellus, being rejected for heterodoxy, went thither to get attestation to his orthodoxy, (of which St Basil complaineth). So Apiarius, being condemned in Afric for his crimes, did appeal to Rome.

And on the other side, Athanasius<sup>k</sup> being with great partiality condemned by the Synod of Tyre; Paulus and other Bishops being extruded from their Sees for orthodoxy; St Chrysostom being condemned and expelled by Theophilus and his complices; Flavianus being deposed by Dioscorus and the Ephesine Synod; Theodoret being condemned by the same—did cry out for help to Rome. Celidonius, Bishop of Resanon, being deposed by Hilarius of Arles, (for crimes,) did fly to Pope Leo<sup>l</sup>. Ignatius, Patriarch of Constantinople, being extruded from his See by Photius, did complain to the Pope.

13 All Princes are forward to heap honour on the Bishop of their imperial city; it seeming a disgrace to themselves that so near a relation be inferior to any other; who is, as it were, their spiritual pastor, who is usually by their special favour advanced. The city itself, and the court, will be restless in assisting him to climb.

<sup>k</sup> Liberat. Brev. cap. xviii. [apud Bin. Tom. iv. p. 394. c. 2 n. u] cum narrasset, quae sibi evenerant, ejus concilio ingressus est ad Calendionem Antiochenum Patriarcham: et sumptis ab eo intercessionis Synodicis litteris, Romanum Pontificem Simplicium appellavit, sicut et beatus fecit Athanasius, et suasit scribere pro se Acacio Constantinopolitano Episcopo.]

<sup>l</sup> P. Leo. Ep. x. [Opp. Tom. i. p. 635.] Cf. Marc. de Concord. v. 32. [§ 9]. P. Nich. I. Ep. xxxviii. [Bin. Tom. vi. p. 564.] (Rothaldus.)

Thus did the Bishop of Constantinople arise to that high pitch of honour, and to be second Patriarch; who at first was a mean suffragan to the Bishop of Heraclea: this by the Synods of Constantinople and Chalcedon is assigned for the reason of his advancement. And how ready the Emperors were to promote the dignity of that Bishop, we see by many of their edicts to that purpose; as particularly that of Leo<sup>m</sup>.

So, for the honour of their city, the Emperors usually did favour the Pope, assisting him in the furtherance of his designs, and extending his privileges by their edicts at home, and letters to the eastern Emperors, recommending their affairs.

So in the Synod of Chalcedon we have the letters of Valentinian, together with those of Placidia and of Eudoxia, the Empresses, to Theodosius, in behalf of Pope Leo, for retraction of the Ephesine Synod; wherein they do express themselves engaged to maintain the honour of the Roman See: *Seeing that, saith Placidia, mother of Theodosius, it becometh us in all things to preserve the honour and dignity of this chief city, which is the mistress of all others<sup>n</sup>.*

So Pope Nicholas confesseth, that the Empe-

<sup>m</sup> Cod. Lib. I. Tit. II. cap. 16. [Corp. Jur. Civ. Tom. II. p. 8.  
Sacrosanctam quoque hujus religiosissimæ Civitatis Ecclesiam, et  
matrem nostræ pietatis, et Christianorum orthodoxæ Religionis  
omnium, et ejusdem Regiæ Urbis sanctissimam Sedem, privilegia et  
honores omnes super Episcoporum creationibus, et jure ante alios  
residendi, et cætera omnia, quæ ante nostrum imperium, vel nobis  
imperantibus habuisse dignoscitur, habere in perpetuum firmiter  
Regiæ Urbis intuitu judicamus et sancimus.]

<sup>n</sup> Οπότε πρέπει ἡμᾶς ταῦτη τῇ μεγίστῃ πόλει, ἡτις δέσποινα ποσός  
ἐπάρχει τῶν γεῶν, ἐν πᾶσι τὸ σέβας παραφυλάξει.—Syn. Chalc. [Bin.  
Tom. III. p. 27 A.]

s had extolled the Roman See with divers privi-  
es, had enriched it with gifts, had enlarged it  
h benefits<sup>o</sup>, (or benefices,) &c.

14 The Popes had the advantage of being  
dy at hand to suggest what they pleased to the  
rt, and thereby to procure its edicts (directed  
dictated by themselves) in their favour, for  
ending their power, or repressing any opposi-  
n made to their encroachments.

Baronius observeth, that the Bishops of Con-  
tinople did use this advantage for their ends:  
thus he reflecteth on the edict of the Emperor  
o in favour of that See: *These things Leo; but*  
*questionless conceived in the words of Acacius,*  
*elling with pride<sup>p</sup>.* And no less unquestionably  
l the Popes conceive words for the Emperor in  
ntenance of their authority. Such was that edict  
Valentinian in favour of Leo against Hilarius,  
ishop of Arles<sup>q</sup>, (in an unjust cause, as Binius<sup>r</sup>  
fesseth,) who contested his authority to undo  
at was done in a Gallican Synod. And we may  
ink Baronius himself for this observation: *By*  
*s, reader, thou understandest that when the*

<sup>o</sup> Qualiter (imperatores) eam diversis beneficiis extulerint,  
is ditaverint, beneficiis ampliaverint, qualiter illam, &c.—P.  
b. I. Ep. viii. [Bin. Tom. vi. p. 513, c. 1 f.] [Mans. Conc. Tom.  
col. 213 e.]

— Romanus tempore prisco  
Pauper erat praesul, regali munere crevit, &c.—

Gunth. Lig. Lib. vi.

<sup>p</sup> Haec Leo, sed Acacii fastu tumentis proculdubio verbis con-  
a, et stylo superbis exarata.—Baron. Annal. Eccles. Ann.  
§ 4. [Tom. viii. p. 311, c. 2.]

<sup>q</sup> Apud Marc. de Concord. v. 32. [§ 9, Tom. ii. p. 97.]  
Bin. ad P. Hil. Ep. xi. [Tom. iii. p. 577 c. 2 A. Quod accidit  
ii Pontifici sanctissimo in causa Hilarii Arelatensis, qui Epist.  
ix. (x.) acerrime innocentem perstrinxit ——.]

*Emperors ordained laws concerning Religion, they did it by transcribing and enacting the laws of the Church, upon the admonition of the Holy Bishops requiring them to do their duty<sup>u</sup>. It was a notable edict, which Pope Hilarius allegeth: It was also decreed by the laws of Christian Princes, that whatsoever the Bishop of the Apostolic See should upon examination pronounce concerning Churches and their governors, &c. should with reverence be received, and strictly observed<sup>v</sup>, &c.*

Such edicts by crafty suggestions being at opportune times from easy and unwary Princes procured, did hold, not being easily reversed: and the power which the Pope once had obtained by them, he would never part with<sup>u</sup>; fortifying it by higher pretences of Divine immutable right. The Emperor Gratian, having gotten the world under him, did order the Churches to those who would communicate with Pope Damasus<sup>x</sup>. This and the like countenances did bring credit and authority to the Roman See.

<sup>u</sup> Ex his intelligis, lector, cum de rebus sacris Imperatores leges sanxire, id ipsum admonitione sanctorum Præsulum requirebant eorum officium ex scriptis legibus statuisse.—Ann. 458, § 4. [Tom. VIII. p. 114, c. 1.]

<sup>v</sup> Christianorum quoque Principum lege decretum est, ut quicquid Ecclesie earumque rectoribus —— Apostolicas Sedis Antistes suo pronunciasset examine, veneranter accipi, tenaciterque servari, &c.—P. Hil. Ep. XI. [Bin. Tom. III. p. 576, c. 2 d.] [Mans. Conc. Tom. VII. col. 939 d.]

<sup>u</sup> P. Nich. I. Ep. XXXVI. [Bin. Tom. VI. p. 562.] [Nos certissime credimus, quia privilegia Sanctæ Romanæ Ecclesie nullum possunt sustinere detrimentum, nec plantatio quam coelestis Pater noster plantavit eradicari, nec fundamenta, quæ summus posuit Architectus, queant quibuslibet et quantislibet fluctuationibus amoviri.—Mans. Conc. Tom. XV. col. 309 E.]

<sup>x</sup> [—— τοὺς θεοὺς οἴκους παραδοθῆται τοῖς τὴν Δαμάσου κομανίς προαιρουμένοις.]—Theodor. Eccl. Hist. V. 2. [Opp. Tom. III. p. 706 A.]

15 It is therefore no wonder that Popes, being seated in the Metropolis of the Western Empire, (the head of all the Roman state,) should find interest sufficient to make themselves by degrees what they would be: for they not only surpassing the provincial Bishops in wealth and opulence, but having power in court, who dared to pull a feather with them, or to withstand their encroachments? What wise man would not rather ear much, than contest upon such disadvantages, and without probable grounds of success?

16 Princes who favoured them with such concessions, and abetted their undertakings, did not foresee what such increase of power in time would rise to; or suspect the prejudice thence done to imperial authority. They little thought that in virtue thereof Popes would check and mate Princes, or would claim superiority over them: for the Popes at that time did behave and express themselves with modesty and respect to Emperors.

17 Power once rooted doth find seasons and favourable junctures for its growth; the which it will be intent to embrace.

The confusions of things, the eruptions of Barbarians, the straits of Emperors, the contentions of Princes, &c. did all turn to account for him; and in confusion of things he did snatch what he could to himself. The declination and infirmity of the Roman Empire gave him opportunity to strengthen his interests, either by closing with it, so as to gain somewhat by its concession; or by opposing it, so as to head a faction against it. As he often had opportunity to promote the designs of Emperors and Princes, so those did return to him increase of

authority; so they trucked and bartered together. For when Princes were in straits, or did need assistance (from his reputation at home) to the furtherance of their designs, or support of their interest in Italy, they were content to honour him, and grant what he desired: as in the cause of Acacius, which had caused so long a breach, the Emperor, to engage Pope Hormisdas, did consent to his will. And at the Florentine Synod, the Emperor did bow to the Pope's terms, in hopes to get his assistance against the Turks.

When the Eastern Emperors, by his meanschifty, were driven out of Italy, he snatched a good part of it to himself, and set up for a temporal Prince<sup>1</sup>.

When Princes did clash, he, by yielding countenance to one side, would be sure to make a good market for himself: for this pretended successor to the fisherman was really skilled to angle in troubled waters.

They have been the incendiaries of Christendom, the kindlers and fomenters of war<sup>2</sup>; and would often stir up wars; and inclining to the stronger part, would share with the conqueror; as when he stirred up Charles against the Lombards. They would, upon spiritual pretence, be interposing in all affairs<sup>3</sup>.

He did oblige Princes by abetting their cause

<sup>1</sup> Δρυδὸς πεσούσης πᾶς ἀνὴρ ξυλίζεται ——. *When the oak is fallen, every one gets some wood.*

<sup>2</sup> Non sine suspicione, quod illorum temporum Pontifices, qui bella extinguere, discordias tollere debuissent, suscitarent ea potius atque nutritrent.—Modrusiensis Episc. in Conc. Lat. sub Leone I. Sess. vi. [Bin. Tom. ix. p. 72. c. 2 A.]

<sup>3</sup> Cf. Anast. in Vit. Zach. P. Nich. I. Ep. xxv. [Mans. Conc. Tom. xv. col. 287.] xxx. [Mans. col. 297, et seqq.]

hen it was unjust or weak; his spiritual authority  
tisfying their conscience: whence he was sure to  
ceive good acknowledgment and recompense.  
Is when he did allow Pepin's usurpation. An. 752.

He pretended to dispose of kingdoms, and to  
constitute Princes; reserving obeisance to himself.  
Gregory VII. granted to Robert Guislard Naples An. 1060.  
and Sicily, *beneficiario jure*. Innocent II. gave to An. 1139.  
Roger the title of King.

There is scarce any kingdom in Europe which  
he hath not claimed the sovereignty of, by some  
pretence or other. Princes sometime, for quiet sake,  
have desired the Pope's consent and allowance of  
things appertaining of right to themselves, whence  
the Pope took advantage to claim an original right  
of disposing such things.

The proceeding of the Pope upon occasion of  
wars is remarkable: when he did enter league with  
a Prince, to side with him in a war against  
another, he did covenant to prosecute the enemy  
with spiritual arms, (that is, with excommunications  
and interdicts,) engaging his confederates to use  
temporal arms. So making Ecclesiastical censures  
tools of interest.

When Princes were in difficulties, (by the  
mutinous disposition of Princes, the emulation of  
antagonists,) he would, as served his interest, in-  
terpose; hooking in some advantage to himself.

In the tumults against our King John, he  
struck in, and would have drawn the kingdom to  
himself.

He would watch opportunity to quarrel with  
Princes, upon pretence they did intrench on  
his spiritual power; as about the point of the

investiture of Bishops, and receiving homage from them.

Gregory VII.	did excommunicate	Hen. III.	(an. 1076.)
Calixtus II.	- - -	Hen. IV.	(an. 1120.)
Adrian IV.	- - -	Fred.	(an. 1160.)
Celestine III.	- - -	Hen. V.	(an. 1195.)
Innocent III.	- - -	Otho	(an. 1219.)
Honorius III. and Gregory IX.	} Fred. II. (an. 1220.)		
Innocent IV. in the Lugd. Conc.			(1245.)

18 The ignorance of times did him great service: for then all the little learning which was being in his clients and factors, they could instil what they pleased into the credulous people. Then his dictates would pass for infallible oracles, and his decrees for inviolable laws: whence his veneration was exceedingly increased.

19 He was forward to support factious Churchmen against Princes, upon pretence of spiritual interest and liberty<sup>b</sup>. And usually by his importunity and arts getting the better in such contests, he thereby did much strengthen his authority.

20 He making himself the head of all the Clergy, and carrying himself as its protector and patron, did engage thereby innumerable most able heads, tongues, and pens, who were devoted to maintain whatever he did, and had little else to do.

21 So great a party he cherished with exorbitant liberties, suffering none to rule over them, or touch them, beside himself.

22 He did found divers Militias and bands of spiritual Janisaries, to be combatants for his interests; who, depending immediately upon him, subsisting by his charters, enjoying exemptions by

<sup>b</sup> Anselme, an. 1109. Becket, an. 1154.—Eadmer. Matt. Par.

his authority from other jurisdictions, being sworn to a special obeisance of him, were entirely at his devotion, ready with all their might to advance his interests, and to maintain all the pretences of their patron and benefactor.

These had great sway among the people, upon account of their religious guises and pretences to extraordinary heights of sanctimony, austerity, contempt of the world. And learning being mostly confined to them, they were the chief teachers and guides of Christendom; so that no wonder if he did challenge and could maintain any thing by their influence.

They did cry up his power, as superior to all others. They did attribute to him titles strangely high, *Vice-god, Spouse of the Church, &c.* strange attributes of omnipotency, infallibility, &c.

23 Whereas wealth is a great sinew of power, he did invent divers ways of drawing great store thereof to himself<sup>c</sup>.

By how many tricks did he proll money from all parts of Christendom? as by

Dispensations for marriage within degrees prohibited, or at uncanonical times;—for vows and oaths; for observance of fasts and abstinences; for pluralities and incompatible benefices, non-residences, &c.

Indulgences, and pardons, and freeing souls from the pains of purgatory.

Reservations, and provisions of benefices, not bestowed *gratis*<sup>d</sup>.

<sup>c</sup> Pro pallio omnino aliquid dare prohibeo.—Greg. I. Ep. iv.

<sup>14</sup> [Opp. Tom. II. (App.) col. 1290 c.]

<sup>d</sup> Vendit plumbeum pro auro.

Consecrated presents; *Agnus Dei's, sw*  
*roses*<sup>o</sup>, &c.

Confirmation of Bishops; sending palls<sup>1</sup>.

Appeals to his court.

Tributes of *Peter-pence, Annates*<sup>g</sup>, *Tithes*—  
 introduced upon occasion of holy wars, and contin

Playing fast and loose, tying knots, and und  
 them for gain.

Sending Legates to drain places of money.

Commutations of penance for money.

Inviting to pilgrimage at Rome.

Hooking in legacies. What a mass of tre  
 did all this come to! What a trade did he dri

24 He did, indeed, easily, by the help o  
 mercenary Divines, transform most points of  
 nity in accommodation to his interests of p  
 reputation, and gain.

25 Any pretence, how slender soever, w  
 time get some validity; being fortified by  
 consent of divers authors, and a current of su  
 practice.

Any story serving the designs of a party  
 get credit by being often told, especially by w  
 bearing a semblance of gravity; whereof o  
 will never be wanting to abet a flourishing p

<sup>o</sup> *Taxa camerarie.*

<sup>1</sup> In the times of Henry I. the Bishop of York did pay 1  
 sterlinc for his pall.—Matt. Par. (p. 274.) [Itaque accepto  
*Episcopus memoratus rediit in Angliam: obligatus in Cui  
 mana, de decem milibus librarum legalium esterlingorum*  
*Lond. 1640.]*

<sup>g</sup> *Peter-pence*.—Plat. in *Vit. Leo IV.* p. 257. [Ferun  
*Alidulphum Anglie Regem, ob Religionem insulam vectigal  
 clesiae Romanae fecisse, singulis nummis argenteis in singulas  
 quotannis collatis.]*

<sup>h</sup> *Quantas nobis divitias peperit haec fabula Christi?*

26 The Histories of some ages were composed only by the Pope's clients, friars and monks, and such people; which therefore are partial to him, addicted to his interests, and under awe of him.

For a long time none dared open his mouth to question any of his pretences, or reprehend his practices, without being called heretic, and treated as such.

27 Whereas the Pope had two sorts of opposites to subdue, temporal Princes and Bishops; his business being to overtop Princes and to enslave all Bishops, or to invade and usurp the rights of both; he used the help of each to compass his designs on the other; by the authority of Princes oppressing Bishops, and by the assistance of Bishops mating Princes.

28 When any body would not do as he would have them, he did incessantly clamour or whine that St Peter was injured<sup>1</sup>.

29 The forgery of the Decretal Epistles (wherein the ancient Popes are made expressly to speak and act according to some of his highest pretences, devised long after their times, and which they never thought of, good men) did hugely conduce to his purpose; authorizing his encroachments by the suffrage of ancient doctrine and practice: a great part of his Canon Law is extracted out of these, and grounded on them.

The donation of Constantine, fictitious acts of Councils, and the like counterfeit stuff, did help thereto; the which were soon embraced, as we see in Pope Gregory II.

<sup>1</sup> *Quando et Apostolica præceptio ad injuriam B. Petri Apostoli illis in partibus non observatur, et a te spernitur et violatur.—P. Nich. I. Ep. xxxvii. [Bin. Tom. vi. p. 563, c. 1, c.] [Maus. Conc. Tom. xv. col. 310 c.]*

As also legends, fables of miracles, and all such deceivableness of *unrighteousness*<sup>k</sup>.

30 Popes were so cunning as to form grants and impute that to privileges derived from the which Princes did enjoy by right or custom.

31 Synods of Bishops called by him at opportune seasons, consisting of his votaries slaves. None dared therein to whisper any thing to the prejudice of his authority<sup>l</sup>. He carried whatever he pleased to propose, without check or contradiction. Who dared to question any thing done by such numbers of pastors, styling themselves the representative of Christendom?

32 The having hampered all the Clergy with strict oaths of universal obedience to him, (beginning about the times of Pope Gregory VII.) did greatly assure his power.

33 When intolerable oppressions and exactations did constrain Princes to struggle with him if he could not utterly prevail, things were brought to composition; whereby he was to be sure for that time a gainer, and gained establishment in some points, leaving the rest to be got afterwards in more favourable junctures.

Witness the } Henry II. and P. Alex. III. an. 1172.

Concordats } Edw. III. and P. Greg. XI. an. 1373.

between } Henry V. and P. Mart. V. an. 1418.

34 When Princes were fain to curb their exorbitances by *Pragmatical Sanctions*, they were restless till they had got those Sanctions revoked. And when they found weak Princes, or any Prince

<sup>k</sup> Ἀπάτη τῆς ἀδικίας.—2 Thess. ii. 10.

<sup>l</sup> Extortis assentationibus.—P. Leo. I. Epist. (ad Syn. Chalc.) [Ep. cxiv. Opp. Tom. i. col. 1197.]

in circumstances advantaging their design, they did obtain their end. So Pope Leo X. got Lewis XI. to repeal the *Pragmatical Sanctions* of his ancestors.

35 The power he did assume to absolve men from oaths and vows, to dispense with prohibited marriages, &c. did not only bring much grist to his mill, but did enable him highly to oblige divers persons (especially great ones) to himself. For to him they owed the quiet of their conscience from scruples; to him they owed the satisfaction of their desires, and legitimation of their issue, and title to their possessions.

36 So the device of indulgences did greatly raise the veneration of him: for who would not adore him, that could loose his bands, and free his soul from long and grievous pains?

#### SUPPOSITION VI.

The next Supposition is this, That in fact the Roman Bishops continually from St Peter's time have enjoyed and exercised this sovereign power.

THIS is a question of fact, which will best be decided by a particular consideration of the several branches of Sovereign power; that so we may examine the more distinctly whether in all ages the Popes have enjoyed and exercised them, or not. And if we survey the particular branches of sovereignty, we shall find that the Pope hath no just title to them, in reason, by valid Law, or according to ancient practice; whence each of

them doth yield a good argument against his pretences.

I. If the Pope were Sovereign of the Church, he would have power to convocate its Supreme Councils and Judicatories; and would constantly have exercised it.

This power therefore the Pope doth claim<sup>m</sup>; and, indeed, did pretend to it a long time since, before they could obtain to exercise it: *It is manifestly apparent*, saith Pope Leo X. with approbation of his Lateran Synod, *that the Roman Bishop for the time being (as who hath authority over all Councils) hath alone the full right and power of indicting, translating, and dissolving Councils<sup>n</sup>*: and long before him: *To the Apostolical authority*, said Pope Adrian I. *by our Lord's command, and by the merits of St Peter, and by the decrees of the holy Canons, and of the venerable Fathers, a right and special power of convocating Synods hath manywise been committed<sup>o</sup>*: and yet before him: *The authority*, saith Pope Pelagius II., *of convocating Synods hath been delivered to the Apostolical See by the singular privilege of St Peter<sup>p</sup>*.

<sup>m</sup> Grat. Dist. xvii. Papæ est Concilia Generalia congregare.—[Corp. Jur. Can. Tom. i. pp. 20, 21.]

<sup>n</sup> Cum etiam solum Romanum Pontificem pro tempore existentem, tanquam auctoritatem super omnia Concilia habentem, Conciliorum indicendorum, transferendorum ac dissolvendorum plenum jus et potestatem habere — manifeste constet.—Con. Later. v. Sess. xi. (ann. 1516) [Bin. Tom. ix. p. 152, c. 2 r.]

<sup>o</sup> — Cui jussione Domini, et meritis B. Petri Apostoli, singularis congregandarum Synodorum auctoritas, et sanctorum Ornonum ac venerandorum Patrum decretis multipliciter privata tradita est potestas.—P. Hadrian I. (ann. 785) [Capit. iii.] Bin. Tom. v. p. 565. [c. 2 b.] [Mans. Conc. Tom. xii. col. 906 c.]

<sup>p</sup> Cum Generalium Synodorum convocandi auctoritas Apostolica Sedi B. Petri singulari privilegio sit tradita.—P. Pelag. II.

But it is manifest that the Pope cannot pretend to this power by virtue of any old Ecclesiastical Canon, none such being extant or produced by him; nor can he allege any ancient custom; there having been no General Synod before Constantine; and as to the practice from that time, it is very clear, that for some ages the Popes did not assume or exercise such a power, and that it was not taken for their due. Nothing can be more evident, and it were extreme impudence to deny, that the Emperors, at their pleasure, and by their authority, did congregate all the first General Synods; for so the oldest Historians in most express terms do report, so those Princes in their Edicts did aver, so the Synods themselves did declare. The most just and pious Emperors, who did bear greatest love to the Clergy, and had much respect for the Pope, did call them without scruple; it was deemed their right to do it, none did remonstrate against their practice; the Fathers in each Synod did refer thereto, with allowance, and commonly with applause; Popes themselves did not contest their right, yea commonly did petition them to exercise it. These things are so clear and so obvious, that it is almost vain to prove them; I shall therefore but touch them.

In general Socrates doth thus attest to the ancient practice: *We, saith he, do continually include the Emperors in our History, because upon them, ever since they became Christians, Ecclesiastical affairs have depended, and the greatest Synods*

Ep. viii. (ann. 587.) Bin. Tom. iv. [p. 476 r.] [Mans. Conc. Tom. ix. col. 960 o.] Qu. An hec Epistola sit Pelagii II. ? Negat Lau-

noius.

*have been and are made by their appointment*<sup>9</sup>: and Justinian in his prefatory type to the Fifth General Council beginneth thus: *It hath been ever the care of pious and orthodox Emperors, by the assembling of the most religious Bishops, to cut off heresies, as they did spring up; and by the right faith, sincerely preached, to keep the Holy Church of God in peace*<sup>10</sup>: and to do this was so proper to the Emperors, that when Ruffin did affirm St Hilary to have been excommunicated in a Synod, St Jerome, to confute him, did ask: *Tell me, what Emperor did command this Synod to be congregated*<sup>11</sup>? implying it to be illegal or impossible that a Synod should be congregated without the imperial command.

Particularly Eusebius saith of the first Christian Emperor, that *As a common Bishop appointed by God he did summon Synods of God's ministers*<sup>12</sup>; so did he command a great number of Bishops to meet at Arles<sup>13</sup>, for decision of the Donatists' cause; so

<sup>9</sup> Συνεχῶς δὲ καὶ τοὺς βασιλεῖς τῇ ιστορίᾳ περιλαμβάνομεν, δότι ἀφ' οὐ χριστιανίζειν ἥρξαντο, τὰ τῆς ἐκκλησίας πράγματα ἥρτοτε ἐπ' αὐτῶν, καὶ αἱ μέγισται Σύνοδοι τῇ αὐτῶν γνώμῃ γεγόνασι τε καὶ γίνονται.—Hist. Eccl. v. Proem.

<sup>10</sup> Semper studium fuit orthodoxis et piis Imperatoribus patriis nostris, pro tempore exortas hereses per congregationem religiosissimorum Episcoporum amputare, et recta fide sincere predicata, in pace Sanctam Dei Ecclesiam custodire.—Justin. in Syn. v. Collat. i. [Bin. Tom. iv. p. 209.] [Mans. Conc. Tom. ix. col. 178c.] Graece, [Bin.] p. 368, magis emphatice.

<sup>11</sup> Doce—quis Imperator hanc Synodus jusserit congregari?—Hier. [Apol. adv. Ruff. Lib. ii. Opp. Tom. iv. p. ii. col. 415.]

<sup>12</sup> Οἴα τις κοινὸς Ἐπίσκοπος ἐκ Θεοῦ καθιστάμενος, Συνόδους τῶν τῷ Θεῷ λειτουργῶν συνεκρότει.—Euseb. de Vit. Const. i. 44.

<sup>13</sup> Πλειστούς ἐκ διαφόρων καὶ ἀμυθήτων τόπων Ἐπισκόπους εἰς τὴν Ἀρελατησίων πόλιν συνελθεῖν ἐκελεύσαμεν.—Id. Eccl. Hist. x. 5. Ep. ad Chrestum.

Ad Arelatensium civitatem piissimi Imperatoris voluntate ad ducti, say the Fathers in their Epistle to P. Sylvester himself.—[Conc. Arel. Bin. Tom. i. p. 270 E.]

d he also command the Bishops from all quarters meet at Tyre<sup>1</sup>, for examination of the affairs concerning Athanasius; and that he did convocate the great Synod of Nice (the first and most renowned of all General Synods) all the Historians do agree, he did himself affirm, the Fathers thereof in their Synodical remonstrances did avow; as we shall hereafter, in remarking on the passages of that Synod, shew.

The same course did his son Constantius follow, without impediment; for although he was a favourer of the Arian party, yet did the Catholic Bishops readily at his call assemble in the great Synods of Sardica<sup>2</sup>, of Ariminum<sup>3</sup>, of Seleucia<sup>4</sup>, of Sirmium<sup>b</sup>, of Milan<sup>c</sup>, &c.; which he, out of a great zeal to compose dissensions among the Bishops, did convocate.

After him the Emperor Valentinian, understanding of dissensions about Divine matters, to compose them, did indict a Synod in Illyricum<sup>d</sup>.

A while after, for settlement of the Christian state, (which had been greatly disturbed by the

<sup>1</sup> Vid. Euseb. de Vit. Const. iv. 41, 42, 43, et Socr. i. 28.

<sup>2</sup> Τούτοις πεισθεὶς τοὺς γράμμασιν ὁ Κωνστάντιος προσέταξεν εἰς τὴν Σαρδικὴν ——— καὶ τοὺς τῆς ἑφας καὶ τοὺς τῆς ἐσπέρας συνδραμεῖν τακτίους.—Theod. Eccl. Hist. ii. 3. [Opp. Tom. iii. p. 586 d.] Cf. Soz. iii. 11. Socr. ii. 16, 20. Athan. Tom. i. p. 761. Hil. in Fragm.

Jubet ex toto orbe apud Sardicam Episcopos congregari.—Sev. Hist. Sacr. ii. 36. p. 255.

<sup>3</sup> Ἐκ τε τῆς τοῦ Θεοῦ κελεύσεως, καὶ τῆς σῆς εὐσεβείας προστάγματος, &c.—Syn. Arim. Ep. ad Const. apud Socr. ii. 37.

<sup>4</sup> Ήρ——γενέσθαι τὸ Βασιλέως ἐκέλευσε πρόσταγμα.—(Ann. 381.) d. ii. 39.

<sup>b</sup> Ὁ Βασιλεὺς Σύνοδον ἐπισκόπων ἐν τῷ Σιρμίῳ γενέσθαι ἐκέλευσε. —Soz. ii. 29. Cf. Soz. iv. 6.

<sup>c</sup> Πρόσταγμα δὲ ἦν τοῦ Βασιλέως, ἐν Μεδιολάνῳ πόλει ποιεῖσθαι τὴν οὐρανον.—Soz. ii. 36. Cf. Soz. iv. 9.

<sup>d</sup> Ἐπ μέν τῷ Ἰλλυρικῷ Σύνοδον γενέσθαι προσέταξε.—Theodor. Eccl. Hist. iv. 7. [Opp. Tom. iii. p. 667 b.]

persecution of Julian and of Valens, and by divers factions,) Theodosius I. did Command, saith Theodore, the Bishops of his Empire to be assembled together at Constantinople<sup>e</sup>; the which meeting accordingly did make the Second General Synod: in the congregation of which, the Pope had so little to do, that Baronius<sup>f</sup> saith it was celebrated against his will.

Afterwards, when Nestorius, Bishop of Constantinople, affecting to seem wiser than others in explaining the mystery of Christ's Incarnation, had raised a jangle to the disturbance of the Church; for removing it, the Emperor Theodosius II. did by his edict command the Bishops to meet at Ephesus<sup>g</sup>; who there did celebrate the Third General Council: in the beginning of each Action it is affirmed, that the Synod was convocated by the imperial decree<sup>h</sup>; the Synod itself doth often profess it<sup>i</sup>; the Pope's own Legate doth

<sup>e</sup> Μόνης τῆς οἰκείας βασιλείας τοὺς Ἐπισκόπους εἰς τὴν Κωνσταντινούπολιν συναθροισθῆναι προσέταξεν.—Theodor. Eccl. Hist. v. 7. [Opp. Tom. III. p. 712 B.]

Σύνοδον διοδόξων αὐτῷ συνεκάλεσε.—Soz. VII. 7. Cf. Soer. v. 8.

<sup>f</sup> Annal. Eccles. Anno 553, § 224. [Tom. x. p. 133. Ita quidem accidisse superius diximus Synodo Constantinopolitanam, sed Theodosio majore celebrata, repugnante Damaso, qui — Synodum ipsam Romæ celebrandam indixerat.]

<sup>g</sup> Τοὺς πανταχόθεν Ἐπισκόπους πρόσταγμα τοῦ Βασιλέως εἰς τὴν Ἐφεσίων συνιέναι ἐκέλευσεν.—Soz. VII. 34. Cf. Evag. I. 3.

<sup>h</sup> Ἐκ θεοπίσματος τῶν Βασιλέων συγκροτηθεῖσα.

<sup>i</sup> Ἡ ἀγία Σύνοδος, ἡ χάριτος Θεοῦ κατὰ τὸ θεοπίσμα τῶν εὐσεβεστῶν καὶ φιλοχρίστων ἡμῶν Βασιλέων συγκροτηθεῖσα.—Syn. Eph. Act. I. [Bin. Tom. II. p. 291.] *The holy Synod assembled by the grace of God, according to the decree of our most religious Emperors, &c.*

Ἡ ἀγία Σύνοδος, ἡ χάριτος Χριστοῦ, καὶ πνεύματι τοῦ ὑμετέρου κράτους συναχθεῖσα, &c.—p. 297.

Τὰ μὲν προστεταγμένα τῇ ἀγίᾳ Συνόδῳ παρὰ τοῦ ὑμετέρου κράτους, &c.—Act. v. p. 347. Τοῖς ἀδροισθεῖσι κατὰ πρόσταγμα τῶν εὐσεβεστῶν Βασιλέων, p. 404.

cknowledge it<sup>k</sup>; and so doth Cyril the President hereof<sup>l</sup>.

The same Emperor, upon occasion of Eutyches being condemned at Constantinople, and the stirs hence arising, did indict the Second General Synod of Ephesus, (which proved abortive by the miscarriages of Dioscorus, Bishop of Alexandria,) as appeareth by his imperial letters to Dioscorus, and the other Bishops, summoning them to that Synod: *We have decreed, that the most holy Bishops meeting together<sup>m</sup>, &c. After the same manner the other most reverend Bishops were written to, to come to the Synod<sup>n</sup>.* And as Pope Leo doth confess, calling it *The council of Bishops, which you (Theodosius) commanded to be held at Ephesus<sup>o</sup>.*

The next General Synod of Chalcedon was Ann. 451. convocated by the authority of the Emperor Marcian; as is expressed in the beginning of each Action<sup>p</sup>, as the Emperor declareth<sup>q</sup>, as the Synod itself, in the front of its Definition, doth avow:

<sup>k</sup> Ηγετικα Σύνοδον οι χριστιανικώτατοι καὶ φιλοχρωπότατοι Βασιλεῖς ἤρισαν.—Act. III. p. 330. *Which Synod our most Christian and reverend Emperors appointed, saith Philip, the Pope's legate.*

<sup>l</sup> Τῇ ἀγίᾳ Συνόδῳ τῇ κατὰ Θεοῦ χάριν καὶ θέσπισμα τῶν θεοφίλεσ- μένων καὶ φιλοχριστῶν Βασιλέων συναχθείσῃ.—Act. IV. p. 337. *To the holy Synod assembled by the grace of God, and the command of our Emperors, &c. So do Cyril and Memnon inscribe their Epistle.*

<sup>m</sup> Ἐθεοπίσαμεν κατὰ ταῦτα συνελθόντων δοσιωτάτων, &c.—[Conc. Chalc. Act. I. Bin. Tom. III. p. 53 A.]

<sup>n</sup> Τῷ αὐτῷ τόπῳ ἐγράφη καὶ τοῖς ἄλλοις εὐλαβεστάτοις Ἐπισκόποις στε παραγενέσθαι εἰς τὴν Σύνοδον.—Ibid. p. 53 F.

<sup>o</sup> Episcopale Consilium, quod haberi apud Ephesum præcepis- s.—P. Leo I. Ep. XLIV. (et XLIII.) ad Theod. Imp. [Opp. Tom. II. N. 911.]

<sup>p</sup> Κατὰ θεῖον θέσπισμα συναθροισθέντα.

<sup>q</sup> Τῇ ἀγίᾳ ὑμῶν ἡδροίσαμεν Σύνοδον.—Conc. Chalc. Act. VI. Bin. Tom. III. p. 345 C.]

*The holy, great, and œcumeneical Synod, gathered together by the grace of God and the command of our most dread Emperors, &c. had determined as follows<sup>r</sup>.*

Ann. 553. The Fifth General Synod was also congregated by the authority of Justinian I.; and the Emperor's letter authorizing it, beginneth (as we saw before) with an assertion, (backed with a particular enumeration,) that all former great Synods were called by the same power<sup>s</sup>: the Fathers themselves do say, that they had come together according to the will of God, and the command of the most pious Emperor<sup>t</sup>. So little had the Pope to do in it, that, as Baronius himself telleth us, it was congregated against his will, or with his resistance<sup>u</sup>.

The Sixth General Synod at Constantinople was also indicted by the Emperor Constantine Pogonatus; as doth appear by his letters, as is intimated at the entrance of each Action, as the Synod doth acknowledge, as Pope Leo II. (in whose time it was concluded) doth affirm. The Synod, in its Definition, as also in its Epistle to Pope Agatho, doth inscribe itself: *The holy and œcumeneical Synod, congregated by the grace of God, and the altogether religious sanction of the most pious and most faithful great Emperor Constantine<sup>x</sup>:* and in

<sup>r</sup> Ἡ ἀγία καὶ μεγάλη καὶ οἰκουμενικὴ Σύνοδος, ἡ κατὰ Θεοῦ χάριτος, καὶ θέσπισμα τῶν εὐλαβεστάτων καὶ φιλοχρίστων ἡμῶν Βασιλέων συναχθεῖσα — ὡριστε τὰ ἱπποτεταγμένα.—Act. vi. [p. 348 f.]

<sup>s</sup> Bin. Tom. iv. p. 368. Gr., p. 209. Lat.

<sup>t</sup> Pro Dei voluntate, et jussione piissimi Imperatoris vocati ad hanc Regiam Urbem convenimus.—Collat. VIII. [Bin. Tom. IV. p. 288 E.] [Mans. Conc. Tom. IX. col. 369 A.]

<sup>u</sup> Ut quæ resistente Romano Pontifice fuerit congregata.—Annal. Eccles. Ann. 553, § 219. [Tom. X. p. 131, c. 2.]

<sup>x</sup> Ἡ ἀγία καὶ μεγάλη καὶ οἰκουμενικὴ Σύνοδος, ἡ κατὰ Θεοῦ χάριτος καὶ

heir Definition they say: *By this doctrine of peace dictated by God, our most gracious Emperor, through the divine wisdom being guided, as a defender of the true faith, and an enemy to the false, having gathered us together in this holy and ecumenical synod, has united the whole frame of the Church*, &c. In its Acclamatory Oration to the Emperor it saith: *We all acquiescing in your most sacred commands; both the most holy President of (Rome) the most ancient and Apostolical city, and we the least*, &c.

These are all the great Synods which posterity with clear consent did admit as general: for the next two have been disclaimed by great Churches (the Seventh by most of the Western Churches, the Eighth by the Eastern,) so that even divers Popes<sup>8</sup>

*παντοεβδές θέσπισμα τοῦ εὐσεβεστάτου καὶ πιστοτάτου μεγάλου Βασιλίου Κενταυρίου συναρχθέντα.*—Syn. vi. Act. xviii. [Bin. Tom. v. p. 255 r.] [Mans. Conc. Tom. xi. col. 632 v.] Cf. Ep. ad P. Agath. [Bin. p. 285 A.]

<sup>9</sup> Ταῦτη τῇ θεολέπτῳ τῆς εἰρήνης διδασκαλίᾳ, θεοσύφως δὲ πραότα τῷ πάντα Βασιλεὺς ὄδηγούμενος, δὲ τῆς μὲν ὀρθοδοξίας ὑπέρμαχος, τῆς δὲ αποδοξίας ἀντίμαχος, τὴν καθ' ἡμᾶς ἀγίαν ταύτην καὶ οἰκουμενικὴν ἀδροίσσην διηγυρώ, τὸ τῆς ἐκελησίας ἀπαντήσασε σύγκριμα.—Act. xviii. in Definitione Synodica. [Bin. p. 256 v.] [Mans. col. 632 c.]

<sup>10</sup> Καὶ δὴ ταῖς θεοτάταις ὑμῶν προστάξειν εἰζαντες ὅτε τῆς πρεσβυτηρίου Ρεόμης καὶ ἀποστολικῆς ἀκροπόλεως ἀρχιερατικώτατος πρόεδρος, καὶ ἡμές οἱ ἀλάχιστοι, κ.τ.λ.—[Act. xviii. Bin. p. 271 e.] [Mans. Conc. col. 659 c.]

Καὶ γάρ ἐπέγνωμεν, δτι ἡ ἀγία καὶ μεγάλη καὶ οἰκουμενικὴ ἐκτη θεοτάτης, ἡτις κατὰ Θεοῦ χάριν, τῷ βασιλικῷ προστάγματι ἔναγχος ἐν τῷ θεολέπτῳ συνηθροίσθη πολει. —P. Leo II. in Ep. ad Con. Imp. [Bin. p. 305 v.] [Mans. col. 728 e.]

<sup>11</sup> P. Joh. VIII. Ep. ccxlvii. [Bin. Tom. vii. p. 91, c. 1 e.] [<sup>12</sup>— in sanctis sex Universalibus Synodis.—Mans. Conc. Tom. xvii col. 181 d.]

P. Nic. I. Ep. vii. [Bin. Tom. vi. p. 496, c. 1 e.] [<sup>13</sup>— venu-  
ndorum sex Universalium Conciliorum auctoritate.—Mans. Conc. Tom. xv. col. 180 v.] Cf. Epp. viii. x.

P. Had. II. Ep. xvii. [Bin. p. 690, c. 2 v.] [Sed de his  
ibid audemus judicare, quod possit Nicæno Concilio et quinque

after them did not reckon them for General Councils; and all the rest have been only assemblies of Western Bishops, celebrated after the breach between the Oriental and Occidental Churches.

Yet even that Second Synod of Nice, which is called the Seventh Synod, doth avow itself to have convened by the Emperor's command<sup>b</sup>; and in the front of each Action, as also of their Synodical Definition, the same style is retained.

Hitherto it is evident, that all General Synods were convocated by the imperial authority; and about this matter divers things are observable.

It is observable in how peremptory a manner the Emperors did require the Bishops to convene at the time and place appointed by them. Constantine, in his letter indicting the Synod of Tyre, hath these words: *If any one presuming to violate our command and sense<sup>c</sup>, &c.*

Theodosius II. summoneth the Bishops to the Ephesine Synod in these terms: *We, taking a great deal of care about these things, will not suffer any one, if he be absent, to go unpunished; nor shall he find excuse either with God or us, who presently without delay does not by the time set appear in the place appointed<sup>d</sup>.*

ceterorum Conciliorum regulis vel decretis nostrorum antecessorum  
obviare.—Ep. xxxiv. Mans. Conc. Tom. xv. col. 858 E.]

<sup>b</sup> Πᾶσα ἡ ἀγία Σύνοδος ἡ κατ' εὐδοκίαν Θεοῦ, προστάξει τε τῆς φύσης χριστοῦ ὑμῶν Βασιλείας συνελθούσα.—Nic. Conc. II. Act. VII. [Eis. Tom. v. p. 831 A.] Cf. Act. I. [519 A.] Act. II. [p. 551 c.] Act. III. [p. 586 A.] Act. IV. [p. 609 c.] Act. V. [p. 696 E.] Act. VI. [p. 722 E.] Act. VII. [p. 812 B.] [p. 817 B.]

<sup>c</sup> Euseb. de Vit. Const. IV. 42. [Ἐὰν γάρ τις—τὴν ἡμετέραν κίλησιν καὶ νῦν διακρούσασθαι πειρώμενος ——]

<sup>d</sup> Καὶ ἡμεῖς δὲ τούτων πολλὴν ποιούμενοι φροντίδα, ἀπολιπόσθαι οὐδέποτε φορητῶς ἀνεξόμεθα· οὐδεμίαν τε ἔχει πρὸς Θεόν, οὐδὲ τρί-

In like terms did he call them to the second Ephesine Synod: *If any one shall choose to neglect meeting in a Synod so necessary and grateful to God, and by the set time do not with all diligence appear in the place appointed, he shall find no excuse<sup>o</sup>, &c.*

Marcian thus indicteth the Synod of Nice, (after by him translated to Chalcedon:) *It properly seemeth good to our clemency, that an holy Synod meet in the City of Nice, in the Province of Bithynia<sup>f</sup>.*

Again we may observe, that in the imperial Edicts, or Epistles, whereby Councils effectually were convened, there is nothing signified concerning the Pope's having any authority to call them; it is not by licence from the Pope's holiness, but in their own name and authority they act: which were very strange, if the Popes had any plea then commonly approved for such a power.

As commonly Emperors did call Synods by the suggestion of other Bishops<sup>g</sup>, so again there be

μέσα ἀπολογίαν, δι μὴ παραχρῆμα κατὰ τὸν προειρημένον καιρὸν, εἰς τὸν θηρισθέντα τόπον σπουδαῖος παραγενόμενος.—Theod. et Valent. Ep. id Cyril. Conc. Eph. Pars I. [Bin. Tom. II. p. 226 D.] [Mans. Conc. Tom. IV. col. 1113 E.]

<sup>o</sup> Εἰ δέ τις τὴν οὐτως ἀναγκαίαν, καὶ τῷ Θεῷ φίλην παριθέν εἶλοιτο ἄνοδον, καὶ μὴ πάση δυνάμει κατὰ τὸν προειρημένον καιρὸν τὸν ἀφοιτθίντα καταλάβοι τόπον, οὐδεμίαν ἔξει πρὸς τὸ κρείττον, η πρὸς τὴν μετέραν εὐσέβειαν ἀπολογίαν.—Theod. in Ep. ad Diosc. in Conc. Chalc. Act. I. [Bin. Tom. III. p. 53 D.] [Mans. Conc. Tom. VI. col. 80 A.]

<sup>f</sup> Τοῦτο ἴδικῶς τῇ ἡμετέρᾳ ἡρεσεν ἡμερότητι, ὡν ἀγία Σύνοδος ἐν ἡ Νικαιάν πολει τῆς Βαθυνῶν ἐπαρχίας συγκροτηθῆ.—In Epist. ad p̄sc. Syn. Chalc. Pars I. [Bin. Tom. III. p. 34 A.] [Mans. Conc. Tom. VI. col. 553 B.]

<sup>g</sup> Κύριλλος — εἰκότως ἐδέσσει νεύμασι τοῦ νέου Θεοδοσίου τὰ σκῆνα τῆς ἑψάς διέποντος, τὴν ἐν Ἐφέσῳ πρώτην Σύνοδον ἀλισθῆναι.—Evagr. I. 3.

divers instances of Popes applying themselves to the Emperors with petitions to indict Synods; wherein sometimes they prevailed, sometimes they were disappointed: so Pope Liberius did request of Constantius to indict a Synod for deciding the cause of Athanasius. *Ecclesiastical judgment* (said he, as Theodoret reports) *should be made with great equity: wherefore, if it please your piety, command a judicatory to be constituted<sup>h</sup>:* and in his Epistle to Hosius, produced by Baronius, he saith: *Many Bishops out of Italy met together, who together with me had beseeched the most religious Emperor that he would command, as he had thought fit, the Council of Aquileia to meet<sup>i</sup>.*

So Pope Damasus, having a desire that a general Synod should be celebrated in Italy for repressing heresies and factions then in the Church, did obtain the imperial letters for that purpose directed to the Eastern Bishops, as they in their Epistle to the Western Bishops do intimate: *But because expressing a brotherly affection toward us, ye have called us, as your own members, by the most pious Emperor's letters, to that Synod which by the will of God ye are gathering at Rome<sup>k</sup>.*

<sup>h</sup> Λιβέριος ἐπίσκοπος εἶπε· Βασιλεῦ, τὰ ἐκκλησιαστικὰ κρίματα μηδ πολλῆς δικαιοκρισίας γίνεσθαι δόμειται. διόπερ εἰ σου δοκεῖ τῇ πόλει, κριτήριον συσταθῆναι κέλευσον.—Theodor. Eccl. Hist. II. 13. [Opp. Tom. III. p. 607 B.]

<sup>i</sup> Multi ex Italia Episcopi convenerunt, qui tecum religiosissimum Imperatorem fuerant deprecati, ut juberet, sicut ipsi placuerat, dudum Concilium Aquileiense congregari.—Annal. Eccl. Ann. 353, § 19. [Tom. IV. p. 515, c. 2.]

<sup>k</sup> Ἐπειδὸν μέντοι τὴν ἀδελφικὴν περὶ ἡμᾶς ἀγάπην ἐπιδεικνύμενοι, Σύνοδον ἐπὶ τῆς Ρώμης Θεοῦ βουλήσει συγκροτοῦντες, καὶ ἡμᾶς εἰς οἰκεῖα μέλη προσεκαλέσασθε διὰ τῶν τοῦ θεοφύλεστάτου Βασιλέως γραμμάτων.—Theodor. Eccl. Hist. V. 9. [Opp. Tom. III. p. 716 c.]

It is a wonder that Bellarmine<sup>1</sup> should have the confidence to allege this passage for himself.

So again Pope Innocent I. being desirous to restore St Chrysostom, *did*, as Sozomen telleth us, *send five Bishops and two priests of the Roman Church to Honorius, and to Arcadius the Emperor, requesting a Synod, with the time and the place thereof*<sup>2</sup>: in which attempt he suffered a repulse; for the courtiers of Arcadius did repel those agents, *as troubling another government, which was beyond their bounds*<sup>3</sup>, or wherein the Pope had nothing to do that they knew of.

So also Pope Leo I. (whom no Pope could well exceed in zeal to maintain the privileges and advance the eminence of his See) did in these terms request Theodosius to indict a Synod: *Whence if your piety shall vouchsafe consent to our suggestion and supplication, that you would command an episcopal Council to be held in Italy; soon, God aiding, may all scandals be cut off*<sup>4</sup>. Upon this occasion the Emperor did appoint a Council (not

<sup>1</sup> De S. Pont. II. 13. § 15.—[Secundum Concilium Generale in Epistola ad Damasum, quæ extat apud Theodoretum, Lib. v. Hist. cap. 9. dicit, se convenisse apud urbem Constantinopolim *ex mandato literarum Pontificis* per Imperatorem ad se missarum.]

<sup>2</sup> Πέπομφεν ἐπισκόπους πέντε, καὶ πρεσβυτέρους δύο τῆς Ῥωμαίων ἀκλησίας πρὸς Ὀνόριον, καὶ Ἀρκάδιον τὸν Βασιλέα, Σύνοδον αἰτήσοντας, τοῖς καιρὸν ταῦτης καὶ τόπου. —Soz. VIII. 28.

<sup>3</sup> Οἱ ὑπεροριαν ἀρχὴν ἐνοχλήσαντας. —Id. ibid.

<sup>4</sup> Unde si pietas vestra suggestioni ac supplicationi nostræ dignetur annuere, ut intra Italiam haberi jubeatis episcopale Concilium, sitio auxiliante Deo poterunt omnia scandala resecari.—P. Leo I. Ep. LIV. [Opp. Tom. I. col. 956.]

Humiliter ac sapienter exposcite, ut petitioni nostræ, qua plebiam indici Synodum postulavimus, clementissimus Imperator lignetur annuere, (saith Pope Leo, to the clergy and people of Constantinople,) Ep. LX. [Ibid. col. 981.]

in Italy, according to the Pope's desire, but) at Ephesus; the which not succeeding well, Pope Leo again did address to Theodosius in these words: *All the Churches of our parts, all Bishops with groans and tears, do supplicate your grace, that you would command a General Synod to be celebrated within Italy<sup>p</sup>.* To which request (although backed with the desire of the Western Emperor) Theodosius would by no means consent: for, as Leontius reporteth, *When Valentinian, being importuned by Pope Leo, did write to Theodosius II. that he would procure another Synod to be held for examining whether Dioscorus had judged rightly or no, Theodosius did write back to him, saying, I shall make no other Synod<sup>q</sup>.*

The same Pope did again of the same Emperor petition for a Synod to examine the cause of Anatolius, Bishop of Constantinople: *Let your clemency, saith he, be pleased to grant an universal Council to be held in Italy; as with me the Synod, which for this cause did meet at Rome, doth request*<sup>r</sup>. Thus did that Pope continually harp upon one string, to get a General Synod to be celebrated at his own doors; but never could obtain his purpose, the Emperor being stiff in refusing it.

<sup>p</sup> Omnes partium nostrarum Ecclesiarum, omnes mansuetudini vestra cum gemitibus et lacrymis supplicant sacerdotes, ut—Generalem Synodus jubeatis intra Italianam celebrari.—P. Leo I. Ep. XLIII. [Ibid. col. 908.]

<sup>q</sup> Οὐαλεντινιανὸς δχλούμενος ὑπὸ Λέοντος τοῦ Πάπα γράφει Θεοδοσίῳ τῷ μικρῷ, ἵνα ἐπιτρέψῃ Σύνοδον γενέσθαι, εἰς τὸ γράμμα εἰ καὶ ἔκρινε δ Διοσκορος ἡ οὐ δὲ Θεοδόσιος ἀντέγραφεν αὐτῷ λέγει, ὅτι οὐ ποιῶ ἄλλην Σύνοδον.—Leont. de Sect. Act. 4.

<sup>r</sup> [Concilium Universale intra Italianam, sicut Synodus, quae ob hanc causam Romæ convenerat, mecum potiit, clementia vestra concedat.—P. Leo. Ep. LXIX. Ibid. col. 1008.]

The same Pope, with better success, (as to the ng, though not as to the place<sup>1</sup>;) did request of Emperor Marcian a Synod; for *He* (concurring opinion that it was needful) *did*, saith Liberatus, *the petition of the Pope and the Roman princes, command a General Council to be congregated at ice<sup>2</sup>.*

Now if the Pope had himself a known right to nvoke Synods, what needed all this supplication, this application to the Emperors? Would not the ope have endeavoured to exercise his authority? ould he not have clamoured or whined at any terruption thereof? Would so spiritful and sturdy Pope as Leo<sup>3</sup> have begged that to be done by other which he had authority to do of himself, en he did apprehend so great necessity for it, and is so much provoked thereto? would he not at st have remonstrated against the injury therein ne to him by Theodosius? All that this daring pe could adventure at was to wind in a pre-ice, that the Synod of Chalcedon was congreg ed by his consent; for, *It hath been the pleasure*

<sup>1</sup> *Sanctum clementis vestrae studium, quo ad reparationem s ecclesiasticas Synodus habere voluistis, adeo libenter accepi, quamvis eam fieri intra Italiam poscisset, &c.*—*Id. Ep. xciv. d. col. 1075.*]

*Poposceram quidem a gloriosissima clementia vestra, ut Syno-1, quam ad reparandam Orientalis Ecclesiae pacem a nobis etiam tam necessariam judicatis, aliquantisper differri ad tempus op unius juberetis*—*Id. Ep. xc. [col. 1063.] Cf. Ep. lxxxiii. 2, [col. 1047.]*

<sup>2</sup> *Sed eo defuncto, cum Martianus imperii culmen fuisse ad-1, pro illa Papae et principum Romanorum petitione Universale cilium in Nicæa congregari jussit.*—*Liberat. Brev. cap. xiii. id Bin. Tom. iv. p. 390, c. 1 f.*

<sup>3</sup> *Fortissimus Leo.*—*Liberat. Brev. cap. xii. [Ibid. p. 390, c.]*

(of whom? I pray) *that a General Council should be congregated, both by the command of the Christian princes, and with the consent of the Apostolic See*<sup>x</sup>, saith he very cunningly; yet not so cunningly, but that any other Bishop might have said the same for his See.

This power, indeed, upon many just accounts peculiarly doth belong to princes: it suiteth to the dignity of their state, it appertaineth to their duty, they are most able to discharge it. They are the guardians of public tranquillity, which constantly is endangered, which commonly is violated, by dissensions in religious matters; (whence we must

<sup>1 Tim. ii. 2.</sup> pray for them, that by their care *We may lead a quiet and peaceable life in all godliness and honesty;*) they alone can authorize their subjects to take such journeys, or to meet in such assemblies; they alone can well cause the expenses needful for holding Synods to be exacted and defrayed; they alone can protect them, can maintain order and peace in them, can procure observance to their determinations; they alone have a sword to constrain resty and refractory persons (and in no cases are men so apt to be such as in debates about these matters) to convene, to confer peaceably, to agree, to observe what is settled; they, as nursing fathers of the Church, as ministers of God's kingdom, as encouragers of all good works, as the stewards of God, intrusted with the great talents of power, dignity, wealth, enabling them to serve God, are obliged to cause Bishops in such cases to perform

<sup>23.</sup> Isai. xl ix.

Wisd. vi. 4.

Rom. xiii. 3.

<sup>x</sup> *In sola videlicet causa fidei, — propter quam Generale Concilium, et ex precepto Christianorum principum, et ex consensu Apostolicæ Sedis placuit congregari.* — P. Leo. Ep. cxiv. [col. 1197.]

their duty; according to the example of good Princes in Holy Scripture, who are commended for proceedings of this nature: for so king Josias did convocate a general Synod of the Church in his time: *Then, saith the text, the King sent, and gathered together all the elders of Judah and Jerusalem:* in this Synod he presided, standing in his place, and making a covenant before the Lord; its resolutions he confirmed, causing all that were present in Jerusalem and Benjamin to stand to that covenant; and he took care of their execution, making all present in Israel effectually to serve the Lord their God. So also did King Hezekiah *gather the Priests and Levites together, did warn, did command them to do their duty, and reform things in the Church: My sons, said he, be not now negligent; for the Lord hath chosen you to stand before him, to serve him, and that ye should minister unto him, and burn incense.*

2 Chron. xxxiv. 29, &c.

2 Chron. xxix. 4, 15, 20, 21, &c.  
ver. 11.

Beside them none other can have reasonable pretence to such a power, or can well be deemed able to manage it: so great an authority cannot be exercised upon the subjects of any Prince, without eclipsing his majesty, infringing his natural right, and endangering his state. He that at his pleasure can summon all Christian pastors, and make them trot about, and hold them when he will, is in effect Emperor, or in a fair way to make himself so. It is not fit therefore that any other person should have all the governors of the Church at his beck, so as to draw them from remote places whither he pleaseth; to put them on long and chargeable journeys; to detain them from their charge; to set them on what deliberations

and debates he thinketh good. It is not reasonable that any one, without the leave of Princes, should authorize so great conventions of men, having such interest and sway; it is not safe that any one should have such dependencies on him, by which he may be tempted to clash with Princes, and withdraw his subjects from their due obedience. Neither can any success be well expected from the use of such authority by any, who hath not power by which he can force Bishops to convene, to resolve, to obey; whence we see that Constantine, who was a Prince so gentle and friendly to the Clergy, was put to threaten those Bishops who would absent themselves from the Synod indicted by him at Tyre<sup>y</sup>; and Theodosius (also a very mild and religious Prince<sup>z</sup>) did the like in his summoning the two Ephesine Synods. We likewise may observe, that when the Pope and Western Bishops, in a Synodical Epistle, did invite those of the East to a great Synod indicted at Rome, *These did refuse the journey, alleging that it would be to no good purpose*<sup>a</sup>: so also when the Western Bishops did call those of the East, for resolving the difference between Flavianus and Paulinus, both pretending to be Bishops of Antioch, what effect had their summons? And so

<sup>y</sup> Euseb. de Vit. Const. iv. 42.

<sup>z</sup> Τῇ πραότητι καὶ πάντας τοὺς ἀληθῶς ιερωμένους ἐνίκα. — ὁ Βασιλεὺς Θεοδόσιος, πρᾶτος σφόδρα παρὰ πάντας τοὺς ἀνθρώπους τοὺς ὄντας ἐπὶ τῆς γῆς.—Socr. vii. 42.

<sup>a</sup> Τὴν ἀποδημίαν παρηγήσαντο, ὡς οὐδὲν ἔχουσαν κέρδος.—Theod. Eccl. Hist. v. 8. [Opp. Tom. III. p. 714 A.]

<sup>b</sup> Εγράψεν αὐτοὶ τε, καὶ Γρατιανὸς ὁ Βασιλεὺς, συγκαλοῦντες εἰς τὴν δύναμιν τοὺς ἀπὸ τῆς ἀνατολῆς ἐπισκόπους.—Socr. vii. 11. *Both they and Gratian the Emperor wrote, calling the Eastern Bishops into the West.*

will they always or often be ready to say, who are called at the pleasure of those who want force to constrain them: so that such authority in unarmed hands (and God keep arms out of the Pope's hands) will be only a source of discords.

Either the Pope is a subject, as he was in the first times, and then it were too great a presumption for him to claim such a power over his fellow-subjects in prejudice to his Sovereign; (nor, indeed, did he presume so far, until he had in a manner shaken off subjection to the Emperor;) or he is not a subject; and then it is not reasonable that he should have such power in the territories of another Prince.

The whole business of General Synods was an expedient for peace, contrived by Emperors, and so to be regulated by their order. Hence even in times and places where the Pope was most reverenced, yet Princes were jealous of suffering the Pope to exercise such a power over the Bishops their subjects; and to obviate it, did command all Bishops not to stir out of their territories without licence<sup>b</sup>; particularly our own nation, in the Council at Clarendon, where it was decreed, that they should not go out of the kingdom without the King's leave<sup>c</sup>.

To some things above said, a passage may be objected which occurreth in the Acclamation of the

<sup>b</sup> Philip of France, (ann. 1302).—Bin. Tom. vii. p. 906, c. 1 B.  
[Prelatos Gallicos maiores convenire Romam universos jubet, ad publicam Synodus celebrandam. Hi ne Regno decederent, Philippo prohibitione intercluduntur.]

<sup>c</sup> Archiepiscopis, Episcopis, et personis Regni, non licet exire Regnum absque licentia Domini Regis.—[Clarendonæ Statuta.] Matt. Par. Ann. 1164. [p. 100.]

Sixth Synod<sup>d</sup> to the Emperor Constantine Pog-  
natus; wherein it is said, that Constantine and  
Sylvester did collect the Synod of Nice; Theodo-  
sius I. and Damasus, (together with Gregory and  
Nectarius,) the Synod of Constantinople; Theo-  
dosius II. with Celestine and Cyril, the Ephesine  
Synod: and so of the rest. To which I answer,  
that the Fathers mean only for the honour of  
those Prelates to signify, that they in their places  
and ways did concur and co-operate to the celebra-  
tion of those Synods; otherwise we might, as to  
matter of fact and history, contest the accurate-  
ness of their relation; and it is observable, that  
they join other great Bishops, then flourishing,  
with the Popes; so that if their suffrage prove  
any thing, it proveth more than our adversaries  
would have, viz. that all great Bishops and Patri-  
archs have a power or right to convocate Synods.

As for passages alleged by our adversaries,  
that no Synod could be called, or Ecclesiastical Law  
enacted, without consent of the Pope, they are  
nowise pertinent to this question; for we do not  
deny that the Pope had a right to sit in every  
General Synod; and every other Patriarch<sup>e</sup> at least

<sup>d</sup> *Syn. Sext. Act. xviii.*—[Bin. Tom. v. p. 272.] Καινοτοπίον  
δέσισέβαστος, καὶ Σλαβεστρος δέσιδικος τὴν ἐν Νικαιᾳ μεγάλην πε-  
περιβλεπτον συνέλεγεν Σύνοδον. — ἀλλ' ὁ μέγιστος Βασιλεὺς θεο-  
δόσιος, καὶ Δάμασος δέδάμας τῆς πόλεως — Γρηγορίος τε καὶ Νε-  
τάριος τὸν ἐν ταύτῃ τῇ βασιλίδι πόλει συνήθροιζον σύλλογον. τέλος  
Νεστόριος, καὶ πάλιν Κελεστίνος, καὶ Κύριλλος δέ μὲν γὰρ τὸν Χριστὸν  
διῆρε, καὶ κατεδίχασεν, οἱ δὲ τῷ δεσπότῃ συλλαμβανόμενοι σὺν τῷ τὸν  
σκῆπτρων δεσπόζοντι τὸν κατατομέα κατέβαλλον.—[Mans. Conc. Tom.  
xi. col. 661 A.]

<sup>e</sup> Ἀναγνωσθέντων τίνων συνοδικῶν τῶν διαγορευόντων μὴ δεῖν γέ-  
νεσθαι ποτὲ Σύνοδον οἰκουμενικὴν παρεκτός συμφωνίας τῶν λοιπῶν ἄγα-  
τῶν πατριάρχων.—*Anteacta Syn. Nic. II.* [Bin. Tom. v. p. 518 A.]  
[Mans. Conc. Tom. xii. col. 991 A.]

d no less; as all reason and practice do shew; d as they of the Seventh Synod do suppose, going of the Synod of Constantinople, which condemned the worship of images, to be no General council, *Because it had not the Pope's co-operation, or the consent of the eastern Patriarchs*<sup>1</sup>. Synillus, the Patriarch of Jerusalem's Legate in the eighth Synod, says: *For this reason did the Holy spirit set up Patriarchs in the world, that they might suppress scandals arising in the Church of God*<sup>2</sup>; and Photius is in the same Synod told, that the judgment passed against him was most qual and impartial, as proceeding not from one, ut all the four Patriarchs<sup>3</sup>.

That a General Synod doth not need a Pope to call it, or preside in it, appeareth by what the synods of Pisa and Constance define<sup>4</sup>, for provision in time of schisms.

II. It inseparably doth belong to Sovereigns in the general assemblies of their states to preside, and moderate affairs; proposing what they judge it to be consulted or debated; stopping what seemeth unfit to be moved; keeping proceedings within order and rule, and steering them to a good

<sup>1</sup> Όνκ ξσχε συνεργὸν τὸν τημικάντα τῆς Ῥωμαίων Πάπαν —— καθὼς διος ἐστὶ ταῖς συνόδοις. ἀλλ' οὔτε συμφρονῶντας αὐτὴ τοὺς πατριάρχας τῆς ἑω, &c.—Syn. Nic. II. Act. VI. [Bin. p. 725 F.] [Mans. Conc. Tom. XIII. col. 208 E.]

<sup>2</sup> Διὰ τοῦτο τὰς πατριαρχικὰς κεφαλὰς ἐν τῷ κόσμῳ ἔθετο τὸ θηῆμα τὸ ἄγιον, ἵνα τὰ ἐν τῇ ἐκκλησίᾳ τοῦ Θεοῦ ἀναφυόμενα σκάνδαλα ἢ αὐτῶν ἀναφανίζονται.—Syn. VPI. Act. I. [Bin. Tom. VI. p. 930 D.] [Mans. Conc. Tom. XVI. col. 317 E.]

<sup>3</sup> Ἀπροσωπάληπτος ἡ κρίσις, ὡς οὐκ ἐξ ἑνὸς μόνου θρόνου, ἀλλὰ ἐν τεσσάρων πατριαρχικῶν γυνομένῃ.—Act. V. [Bin. p. 945 B.] [Mans. pl. 344 B.]

<sup>4</sup> Cf. Conc. Const. Sees. XXXIX. Bin. Tom. VII. p. 1109.

issue; checking disorders and irregularities, which the distemper or indiscretion of any persons may create in deliberations or disputes.

This privilege therefore the Pope doth claim; not allowing any General Council to be legitimate, wherein he in person, or by his Legates, doth not preside and sway. *All Catholics, says Bellarmine, teach this to be the chief Pontiff's proper office, that either in person or by his Legate he preside, and as chief judge moderate all*<sup>k</sup>.

But for this prerogative no express grant from God, no ancient Canon of the Church, no certain custom can be produced. Nor doth ancient practice favour the Pope's claim to such a prerogative, it appearing that he did not exercise it in the first General Synods.

*Acta xv.* St Peter himself did not preside in the Apostolical Synod at Jerusalem, where he was present; but rather St James, as we before have shewed.

In all the first Synods, convoked by Emperors, they did either themselves in person, or by honourable persons authorized by them, in effect preside, governing the proceedings.

In the Synod of Nice, Constantine was the chief manager, director, and moderator of the transactions<sup>l</sup>; and under him other chief Bishops did preside; but that the Pope's Legates had any considerable influence or sway there, doth by no evidence appear, as we shall hereafter out of History declare.

<sup>k</sup> *Catholici omnes id munus proprium esse docent summi Pontificis, ut per se, vel per Legatos Synodo præsideat, et tanquam supremus judex omnia moderetur.*—*De Conc. i. 19. [§ 2.]*

<sup>l</sup> *Προεδίσου τὸν λόγον τοῖς τῆς Συνόδου προέδροις.*—*Euseb. de Vit. Const. III. 13.*

In the Synod of Sardica, (which in design was General Council, but in effect did not prove so, being divided by a schism into two great parts,) Hosius, Bishop of Corduba, did preside, or (by reason of his age and venerable worth) had the first place assigned to him, and bore the office of Prolocutor; so the Synod itself doth imply: *All the Bishops* (say they in their Catholic Epistle) *being together, and especially the most ancient Hosius, who for his age, and for his confession, and for that he hath undergone so much pains, is worthy all reverence*<sup>m</sup>: so Athanasius expressly doth call him: *The holy Synod, saith he, the Procurator of which was the great Hosius, presently set to them*<sup>n</sup>, &c. The Canons of the Synod intitiate the same, wherein he proposeth matters, and speaketh the pleasure of the Synod: the same is confirmed by the subscriptions of their general Epistle, wherein he is set before Pope Julius himself: *Hosius from Spain, Julius of Rome, by the presbyters Archidamus and Philoxenus*<sup>o</sup>. In this

<sup>m</sup> Πάστων ἡμῶν συνελθότων ἐπισκόπων, καὶ μάλιστα τοῦ εὐγέρων Ὁσίου, τοῦ καὶ διὰ τὸν χρόνον, καὶ διὰ τὴν ὁμολογίαν, καὶ διὰ τοσούτον κάματον ὑπομεμηκέναι, πάστης αἰδοῦς ἀξιος τυγχάνοντος, —Apud Athan. Apol. con. Arian. [Opp. Tom. I. p. 163 B.]

<sup>n</sup> Εἴδης γὰρ ἡ ἀγία Σύνοδος, ἡς προήγορος ἦν δι μέγας Ὁσιος, αὐτεν αὐτοῖς, &c.—Ad Monach. [Opp. Tom. I. p. 353 C.]

Ἀμέλεις Ὁσιος, καὶ Πρωτογένης, οἱ τότε ὑπῆρχον ἄρχοντες τῶν ἀπὸ δύσεως ἐν Σαρδικῇ συνεληλυθότων—.—Soz. III. 12.

Τάσ εν τῇ Σαρδικῇ συνεληλυθότων πρωτεύσας.—Theodor. Ecol. t. II. 12. [Opp. Tom. III. p. 606 D.]

Τάν μὲν Ὁσιος ἐξῆρχε τῆς γνώμης—.—Syn. Chalc. ad Imp. re. [Bin. Tom. III. p. 468 F.] [Mans. Conc. Tom. VII. col. B.]

<sup>o</sup> Ὁσιος ἀπὸ Σπανιας, Ιούλιος Ράμης δι' Ἀρχιδάμου καὶ Φιλοξένου τβιτέρων, &c.—Apud Athan. Apol. con. Arian. [Opp. Tom. I. 68 A.]

all Ecclesiastical Histories do agree; none speaking of the Pope's presiding there by his Legates.

In the Second General Synod at Constantinople the Pope had plainly no stroke<sup>P</sup>; the Oriental Bishops alone did there resolve on matters, being headed by their Patriarchs, (of Alexandria, Antioch, and Jerusalem,) as Sozomen saith<sup>q</sup>: *Being guided by Nectarius and St Gregory Nazianzen*, as the Council of Chalcedon in its Epistle to the Emperor doth aver.

In the Third General Synod at Ephesus, Cyril, Bishop of Alexandria, did preside, as Pope Leo himself doth testify<sup>r</sup>: he is called *The head of it*, in the Acts<sup>s</sup>.

Digress.

We may note, that the Bishop of the place where the Synod is held did bear a kind of presidency in all Synods; so did St James, Bishop of Jerusalem, in the first Synod, as St Chrysostom noteth; so did Protagenes at Sardica, and Nectarius at Constantinople, and Memnon in this of Ephesus.

It is true, that according to the Acts of that Synod, and the reports of divers Historians, Pope Celestine (according to a new politic device of Popes) did authorize Cyril to represent his person, and act as his proctor in those affairs; assigning

<sup>P</sup> Baron. *Annal. Eccles. Anno 553.* § 224. [Tom. x. p. 133.]

<sup>q</sup> Ἡγοῦτο.—*Soz. vii. 7.*

<sup>r</sup> Τὸν δὲ Νεκτάριος σὺν Γρηγορίῳ τὴν ἡγεμονίαν ἤρατο.—*Syn. Chalc. ad Imp. Marc.* [Bin. p. 469 A.] [Mans. Conc. Tom. vii. col. 464 A.]

<sup>s</sup> Prioris Ephesinæ Synodi, cui sanctæ memorie Cyrilus Episcopus tunc præsedit.—P. Leo I. [Ep. xciii. Opp. Tom. i. col. 1073.]

<sup>t</sup> ———καὶ τῆς κεφαλῆς τῶν συνελεγμένων ἀγαπάτων ἐπισκόπων, Κυριλλου.—*Relat. Syn. Eph. Act. v.* [Bin. Tom. ii. p. 348 B.] [Mans. Conc. Tom. iv. col. 1325 E.]

to him, as he saith, *Jointly, both the authority of his throne, (that is, his right of voting,) and the order of his place*<sup>u</sup>, (the first place in sitting;) but it is not consequent thence, that Cyril upon that sole account did preside in the Synod. He thereby had the disposal of one so considerable suffrage, or a legal concurrence of the Pope with him in his actings; he thereby might pretend to the first place of sitting and subscribing, (which kind of advantages it appeareth that some Bishops had in Synods by the virtue of the like substitution in the place of others,) but he thence could have no authoritative presidency; for that the Pope himself could by no delegation impart, having himself no title thereto warranted by any Law or by any precedent; that depended on the Emperor's will, or on the election of the Fathers, or on a tacit regard to personal eminence in comparison to others present: this distinction Evagrius seemeth to intimate, when he saith, that the divine Cyril did administer it, and the place of Celestine<sup>x</sup>, (where a word seemeth to have fallen out:) and Zonaras more plainly doth express, saying, that *Cyril, Pope of Alexandria, did preside over the*

<sup>u</sup> Συναφθείσης σοι τοίνυν τῆς αὐθεντίας τοῦ ἡμετέρου θρόνου, καὶ τῇ ἡμετέρᾳ τοῦ τόπου διαδοχῇ———.—Celest. Ep. ad Cyril. Conc. Eph. Pars I. [Bin. Tom. II. p. 181 d.] [Mans. Conc. Tom. IV. col. 1020 ε.] N. Yet the Fathers in their Epistle to Pope Celestine do only take notice of Arcadius, Projectus, and Philippus supplying his place.—Act. V. [Bin. p. 353 f. Συνῆδρευσαν γὰρ ἡμῖν καὶ οἱ παρά τῆς διατάξης τῆς σῆς ἀπεσταλμένοι θεοφεβέστατοι ἐπίσκοποι, Ἀρκάτες, καὶ Προέκτος, καὶ σὺν αὐτοῖς, δὲ εὐλαβέστατος πρεσβύτερος Φλετός, τὴν σὴν ἡμῖν παρουσίαν δι' ἔστιτῶν χαριζόμενοι.—Mans. Conc. Tom. IV. col. 1336 ε.]

<sup>x</sup> Κυριλλού τοῦ θεοπεσίου διέποντος καὶ τὸν Κελεστίνου τόπον.—vagr. I. 4.

*orthodox Fathers, and also did hold the place of Celestine*<sup>7</sup>: and Photius: Cyril did supply the seat and the person of Celestine<sup>8</sup>. If any latter Historians do confound these things, we are not obliged to comply with their ignorance or mistake.

Indeed, as to presidency there we may observe, that sometime it is attributed to Cyril alone, as being the first Bishop present, and bearing a great sway; sometimes to Pope Celestine, as being in representation present, and being the first Bishop of the Church in order; sometimes to both Cyril and Celestine; sometimes to Cyril, and Memnon, Bishop of Ephesus, who, as being very active, and having great influence on the proceedings, are styled the presidents and rulers of the Synod<sup>9</sup>. The which sheweth, that presidency was a lax thing, and no peculiarity in right or usage annexed to the Pope; nor did altogether depend on his

<sup>7</sup> Προισταμένου τῶν ὀρθοδόξων πατέρων τοῦ ἐν ἀγίοις Κυρίλλου πάπα Ἀλεξανδρείας, ἐπέχοντος δὲ καὶ τὸν τόπον Κελεστίνου.—Zen. in Syn. Eph. can. 1.

<sup>8</sup> Τοῦ Ῥώμης Κελεστίνου ἐπλήρου τὴν καθίδραν καὶ πρόσωπον.

<sup>9</sup> Ἡς ἡγέτο διακάριος πατὴρ ἡμῶν Κύριλλος.—Conc. Chalc. Act. IV. [Bin. Tom. III. p. 302 D.]

‘Ο τῆς οἰκουμενικῆς Συνόδου καθηγητής.—Cler. Constant. in Conc. Eph. [Bin. Tom. II. p. 418 F.]

Cui præfuit ter beatus Archiepiscopus quondam noster Cyrilus.—Syn. Chalc. Act. I. [p. 173 E.]

Ἡς ἡγεμόνες οἱ ἀγιώτατοι τὴν μνήμην, Κελεστίνος δὲ τῆς Ῥωμαίων καὶ Κύριλλος δὲ τῆς Ἀλεξανδρείων.—Syn. Chalc. Defin. in Act. V. [p. 338 A.] Cf. Act. IV. [p. 300 F.]

The Bishops of Issuria to the Emperor Leo, say, that Cyril was partaker with Pope Celestine, &c. —et beato Celestino incoluisse Ecclesiæ Romanorum pastori particeps.—Syn. Chalc. Part. III. [p. 522 C.]

Τῆς συνόδου πρόεδροι.—Eph. Act. IV. p. 338 D. (p. 420 c. 422 B.)

Πρόεδροι τῆς ἐκκλησίας.—Act. V. [p. 347 A.]

‘Ημέτεροι πρόεδροι.—Relat. Syn. [p. 406 B.]

‘Εξαρχοι τῆς συνόδου.—Relat. [p. 411 A.]

rant or representation, to which Memnon had no title.

The Pope himself and his legates are divers times in the Acts said *συνεδρεύειν, to sit together* with the Bishops<sup>b</sup>; which confidence doth not well comport with his special right to presidency.

Yea, it is observable, that the Oriental Bishops, which with John of Antioch did oppose the Cyrilian party in that Synod, did charge on Cyril, that *He (as if he lived in a time of anarchy) did proceed to all irregularity; and that snatching to himself the authority, which neither was given him by the Canons, nor by the Emperor's sanctions, did rush on to all kind of disorder and unlawfulness*: whence it is evident, that, in the judgment of those Bishops, among whom were divers worthy and excellent persons<sup>d</sup>, the Pope had no right to any authoritative presidency.

This word presidency, indeed, hath an ambiguity, apt to impose on those who do not observe it; for it may be taken for a privilege of precedence, or

<sup>b</sup> Σύνοδος, ὡς συνεδρεύει καὶ δὴ μεγάλης ὑμῶν Ῥώμης δημότας καὶ θεοφιλέστατος ἀρχιεπίσκοπος Κελεστίνος.—Relat. ad Imp. [p. 422 c.]

Συνεδρευσάντων ἀπὸ τῆς ἐσπέρας θεοφιλεστάτων καὶ θεοσεβεστάτων θιστάπων καὶ πρεσβυτών, Ἀρκαδίου καὶ Προΐκτου, καὶ τοῦ θεοφιλετάτου πρεσβυτέρου Φιλίππου τοῦ ἀποστολικοῦ θρόνου καὶ ληγάτου.—Let. II. [p. 322 E.]

Tὸν ἀποστολικὸν θρόνον συνεδρεύοντα ἡμῖν.—Act. IV. [p. 340 B.]

<sup>c</sup> Ως ἐν ἀβασιλεύοις καιροῖς χωρεῖ πρὸς πᾶσαν παρανομίαν.—μάρσας ἐαυτῷ τὴν αὐθεντίαν, τὴν μήτε παρὰ τῶν κανόνων αὐτῷ δεδούληται, μήτε ἀπὸ τῶν ὑμετέρων θεσπισμάτων, δρμά πρὸς πᾶν εἶδος ταξίας καὶ παρανομίας.—Relat. Orient. Conc. ad Imp. [p. 380 c.]

<sup>d</sup> The Bishops of Syria being then the most learned in the world; as John of Antioch doth imply, p. 377 B. [——δυνάμενοι, περ ἄρα πλήθους ἦν χρεία, πλείστους ἔχειν μεθ' ἐαυτῶν τοὺς τὰ θεῖα ἡματα ἀκριβῶς ἐπισταμένους, καὶ οὐδὲν τῷ ἀμαθεῖ τῶν θείων πλήθει σπαστὸν καὶ Λίγυπτίων ἐουάτας.]

for authority to govern things: the first kind of presidency the Pope without dispute, when present at a Synod, would have had among the Bishops, (as being *The Bishop of the first See*<sup>o</sup>, as the Sixth Synod calleth him; and *The first of priests*, as Justinian<sup>f</sup> calleth him;) and in his absence his Legates might take up his chair, (for in General Synods each See had its chair assigned to it, according to its order of dignity by custom). And according to this sense the Patriarchs and chief Metropolitans are also often (singly or conjunctly) said to preside, as sitting in one of the first chairs.

But the other kind of presidency was (as those Bishops in their complaint against Cyril do imply, and as we shall see in practice) disposed by the Emperor, as he saw reason; although usually it was conferred on him, who, among those present, in dignity did precede the rest: this is that authority, *αὐθεντία*, which the Syrian Bishops complained against Cyril for assuming to himself, without the Emperor's warrant, and whereof we have a notable instance in the next General Synod at Ephesus. For, in the Second Ephesine Synod, (which in design was a General Synod, lawfully convened, for a public cause of determining truth and settling peace in the Church; but which by some miscarriages proved abortive,) although the

<sup>o</sup> "Οθεγ καὶ ἡμεῖς ὡς πρώτῳ θρόνῳ σαι τῆς οἰκουμενικῆς Ἐκκλησίας.—Ep. ad P. Agath. Syn. vi. [Bin. Tom. v. p. 285 c.] [Mans. Coss. Tom. xi. col. 683 c.]

Τῶν τε συνθρόνων αὐτῇ μετ' αὐτῇν ἀγωτάτων πατριαρχέων.—Act. xviii. [Ibid. p. 297 c.] [Mans. col. 713 E.]

<sup>f</sup> Πρώτος Ἱερέων.—Justin. Cod. Tit. i. [vii. § 1. ————— ὡς κεφαλὴ οὖσῃ πάντων τῶν δσιωτάτων τοῦ Θεοῦ Ἱερέων————.]

ope had his Legates there<sup>g</sup>, yet by the Emperor's order Dioscorus, Bishop of Alexandria, did preside: *Te, said Theodosius in his Epistle to him, do also commit to thy godliness the authority and the pre-eminency of all things appertaining to the Synod now assembled<sup>h</sup>:* and in the Synod of Chalcedon it is said of him, that *He had received the authority of all affairs, and of judgment<sup>i</sup>:* and Pope Leo I. in his Epistle to the Emperor saith, that Dioscorus did challenge to himself the principal place<sup>k</sup>; (imputing a complaint, that Dioscorus should be referred before him, although not openly contesting his right).

The Emperor had, indeed, some reason not to commit the presidency to Pope Leo, because he was looked upon as prejudiced in the cause, having declared in favour of Flavianus, against Eutyches; hence Eutyches declined his Legate's interesting the judgment of his case, saying, *They were suspected to him<sup>l</sup>,* because they were entertained of Flavianus with great regard. And Dioscorus, being Bishop of the next See, was taken for more different, and otherwise a person (however after-

<sup>g</sup> Καὶ μὴν (συνῆν) καὶ Ἰούλιος ἐπίσκοπος, τόπον πληρῶν Λέοντος, τῆς πρεσβυτέρας Ῥώμης ἐπίσκοπου.—Evag. I. 10.

<sup>h</sup> Ἀλλὰ καὶ τῶν ἀλλων πάντων τῶν ἀνηκόντων τῇ σὺν συναθροίζομένη οὐ Συνάδφε τὴν αὐθεντίαν, καὶ τὰ πρωτεῖα τῇ σῇ θεοσεβείᾳ παρέστησε.—Syn. Chalc. Act. I. [Bin. Tom. III. p. 59 B.] [Mans. Conc. n. VI. col. 600 c.]

<sup>i</sup> Τὴν ἔξουσίαν πάντων εἰληφὼς τῶν πραγμάτων, καὶ τῆς κρίσεως.—[Bin. Tom. III. p. 160 E.]

<sup>l</sup> Ήσεῖτος καθειστήκει Διόσκορος.—Evag. I. 10.

<sup>k</sup> — Si is qui sibi locum principalem vindicabat, sacerdotia moderationem custodire voluissest —.—P. Leo I. Ep. XLIV. p. Tom. I. p. 911.] Cf. Ep. XLV. &c.

<sup>l</sup> Υποκτοί μοι γεγόνασι, &c.—Syn. Chalc. Act. I. [Bin. Tom. III. 0 B.]

ward it proved) of much integrity and moderation: *He did, saith the Emperor, shine by the grace of God, both in honesty of life, and orthodoxy of faith*<sup>m</sup>: and Theodoret himself, before those differences arose, doth say of him, that he was by common fame reported a man adorned with many other kinds of virtue, and that especially he was celebrated for his moderation of mind<sup>n</sup>.

It is true, that the Legates of Pope Leo did take in dudgeon this preferment of Dioscorus; and (if we may give credence to Liberatus) *would not sit down in the Synod, because the presession was not given to their holy See<sup>o</sup>*; and afterwards, in the Synod of Chalcedon, the Pope's Legate, Paschasius, (together with other Bishops,) did complain that Dioscorus was preferred before the Bishop of Constantinople<sup>p</sup>: but notwithstanding those ineffectual mutinies, the Emperor's will did take place, and according thereto Dioscorus had (although he did not use it so wisely and justly as he should) the chief managery of things.

It is to be observed, that to other chief Bishops the presidency in that Synod is also ascribed, by

<sup>m</sup> ——— τῇ σῇ ἀγιωσύνῃ, ἐκλαμπούσῃ δὲ τὴν τοῦ Θεοῦ χάρα τῇ τε τῇ τοῦ βίου σεμνότητι, καὶ τῇ ὀρθογάτῃ πίστει.—Theod. Ep. ad Diosc. in Syn. Chalc. Act. I. [Bin. p. 59 B.] [Mans. Conc. Tom. VI. col. 600 B.]

<sup>n</sup> Πολλοῖς μὲν καὶ ἀλλοῖς εἰδεσιν ἀρετῆς κοσμεῖσθαι τὴν σὴν ἀγιωσύνην ἀκούομεν——οὐχ ἡκιστα δὲ ἀπαντες ἀδουσι τὸ τοῦ φρονήματος μέτριον.—Theodor. Ep. LX. [Opp. Tom. III. p. 935 A.]

<sup>o</sup> Ecclesiae Romanae Diaconi, vices habentes P. Leonis, assidere non possi sunt, eo quod non data fuerit praecessio Sanctae Sedis eorum.—Liber. Brev. cap. xii. [apud Bin. Tom. IV. p. 389, c. 2 A.]

<sup>p</sup> Πασχασῖνος εἶπεν—— οὐδε, ἡμεῖς, Θεοῦ θελοντος, Κύριος τὸν ἀντόλιον πρώτον ἔχομεν· οὐτοι πέμπτον ἔταξαν τὸν μακάριον Φλανιανό.—Syn. Chalc. Act. I. [Bin. Tom. III. p. 62 A.] [Mans. Conc. Tom. VI. col. 608 B.]

virtue of the Emperor's appointment: *Let the most reverend Bishops* (say the imperial Commissaries in the Synod of Chalcedon) *to whom the authoritative management of affairs was by the royal sovereignty granted, speak why the Epistle of the most holy Archbishop Leo was not read<sup>q</sup>:* and, *You, say they again, to whom the power of judging was given<sup>r</sup>:* and of Dioscorus, Juvenalis (Bishop of Jerusalem), Thalassius (of Caesarea), Eusebius (of Ancyra), Eustathius (of Beristus), Basilius (of Seleucia), it is by the same Commissioners said, that they had received the authority, and did govern the Synod which was then<sup>s</sup>; and Elpidius, the Emperor's agent in the Ephesine Synod itself, did expressly style them *Presidents<sup>t</sup>*; and Pope Leo himself calleth them *Presidents and Primates of the Synod<sup>u</sup>*.

Whence it appeareth, that at that time, according to common opinion and practice, authoritative presidency was not affixed to the Roman chair.

In the Synod of Chalcedon, Pope Leo did, indeed, assume to himself a kind of presidency by his

<sup>q</sup> Οἱ εἰδαβέστατοι ἐπίσκοποι, οἵς ή αὐθεντία τότε τῶν πραττομένων περὶ τῆς βασιλικῆς ἐδέδοτο κορυφῆς, λεγέτωσαν, διὰ τί ή ἐπιστολὴ τοῦ διοικάτον ἀρχιεπισκόπου Λέοντος οὐκ ἀνεγνώσθη. — [Bin. p. 65 d.] [Mans. col. 616 c.]

<sup>r</sup> Υμῖς, οἵς ή ἔχουσία τοῦ δικάζειν ἐδέδοτο. — [Bin. p. 77 f.] [Mans. col. 644 c.]

<sup>s</sup> Τοὺς ἔχουσιαν εἰληφότας, καὶ ἔχάρχοντας τῆς τότε Συνόδου. — [Act. II. [Bin. p. 202 c.]] [Mans. Conc. Tom. vi. col. 936 c.] Cf. Act. IV. [Bin. p. 288 d.]

<sup>t</sup> Εξαρχοι. — [Evag. II. 4.]

<sup>u</sup> Τῆς κοινῆς ἀπάντων φωνῆς συνθεμένης τε καὶ εὐφημησάσης τὴν ὑμῶν ὡς προεδρευσάντων ψῆφον. — [Bin. p. 70 e.] [Mans. col. 628 c.]

<sup>v</sup> Siquidem pene omnes, qui in consensum Præsidentium aut aducti fuerant, aut coacti. — [P. Leo I. Ep. xcvi. [Opp. Tom. I. col. 1078.]

Ubi Primates Synodi nec resistantibus, &c. — [Ibid. [col. 1077.]

Legates<sup>x</sup>; and no wonder that a man of a stout and ardent spirit (impregnated with high conceits of his See, and resolved with all his might to advance its interests, as his Legates themselves did in effect declare to the world) should do so; having so favourable a time, by the misbehaviour of Dioscorus and his adherents; against whom, the Clergy of Constantinople and other Fathers of the Synod, being incensed, were ready to comply with Leo<sup>y</sup>, (who had been the champion and patron of their cause,) in allowing him extraordinary respect, and whatever advantages he could pretend to.

Yet in effect the Emperor by his Commissioners did preside there<sup>z</sup>; they propounding and allowing matters to be discussed; moderating debates by their interlocution, and driving them to an issue; maintaining order and quiet in proceedings; performing those things which the Pope's Legates at Trent or elsewhere, in the height of his power, did undertake.

To them supplicatory addresses were made for succour and redress by persons needing it: as for instance, *Command*, said Eusebius of Dorylaeum, *that my supplications may be read*<sup>w</sup>.

Of them leave is requested for time to deliberate: *Command*, (saith Atticus, in behalf of other Bishops,) *that respite be given, so that within a few*

<sup>x</sup> In his fratribus — qui ab Apostolica Sede directi sunt, in Synodo vestra fraternitas aestimet praesidere — qui nunc in Vicariis meis adsum. — Id. [Ep. xci. col. 1009.]

<sup>y</sup> Ον σὺ μὲν, ὡς κεφαλὴ μελῶν ἡγεμόνευες, ἐν τοῖς τὴν σὴν τίκτοντες. — Syn. Chalc. Epist. ad Leon. [Bin. Tom. III. p. 473 ε.] [Mans. Conc. Tom. VI. col. 148 c.]

<sup>z</sup> Ibid. Act. I. Bin. pp. 50, 202. Act. II. p. 211.

<sup>w</sup> Κελεύσατε τὰς δεήσεις τὰς ἐμὰς ἀναγνωσθῆναι. — Ibid. Act. I. [Bin. p. 50 D.] [Mans. col. 584 A.]

ays, with a calm mind, and undisturbed reason, those things may be formed which shall be pleasing to God and the holy Fathers<sup>b</sup>. Accordingly they order the time for consultation: *Let, say they, the hearing be deferred for five days, that in the meantime your holiness may meet at the house of the most holy Archbishop Anatolius, and deliberate in common about the faith, that the doubtful may be instructed*<sup>c</sup>.

They were acknowledged judges, and had thanks given them for the issue by persons concerned: *I, said Eunomius, Bishop of Nicomedia, do thank your honour for your right judgment*<sup>d</sup>. And in the cause between Stephanus and Bassianus concerning their title to the Bishopric of Ephesus, they having declared their sense, *The holy Synod cried, This is right judgment; Christ hath decided the case, God judgeth by you*<sup>e</sup>: and in the result, upon their declaring their opinion, *The whole Synod exclaimed, This is a right judgment, this is a pious order*<sup>f</sup>.

When the Bishops, transported with eagerness

<sup>b</sup> Κελεύσατε ἐνδοθῆταις ἡμῖν, ὅστε ἐντὸς ὀλίγων ἡμερῶν ἀκυμάντῳ διανόι καὶ ἀταράχῳ λογισμῷ τὰ τῷ Θεῷ δοκοῦντα καὶ τοῖς ἀγίοις πεπράσι τυπωθῆναι.—Act. I. p. 219. [?]

<sup>c</sup> Υπερτεθῆσται ἡ ἀκρόσις ἡνὸς ἡμερῶν πέντε, ὅστε ἐν τῷ μεταξὺ συνιδέειν τὴν ὑμετέραν ἀγιωσύνην εἰς τὸ τοῦ ἀγιωτάτου ἀρχεπισκόπου ἀποταλμού, καὶ κοινῶς περὶ τῆς πίστεως βουλεύσασθαι· ἵνα οἱ ἀμφιβολοτες διδαχθῶσι.—Act. IV. [Bin. p. 289 B.] [Mans. Conc. Tom. VII. col. 8 B.]

<sup>d</sup> Εὐχαριστῶ τῇ δικαιοκρισίᾳ τῆς μεγαλοπρεπείας ὑμῶν.—Act. III. [Bin. p. 420 B.] [Mans. Conc. Tom. VII. col. 313 B.]

<sup>e</sup> Ἡ ἀγία Σύνοδος ἐβόησεν· αὐτῇ δικαία κρίσις· αὐτῇ Θεοῦ κρίσις· δικαστὸς ἐδίκασε τῇ ὑποθέσει· ὁ Θεὸς δὲ ὑμῶν δικάζει.—Act. XII. [Bin. p. 409 F.] [Mans. col. 289 C.]

<sup>f</sup> Πάσα ἡ ἀγία Σύνοδος ἐβόησεν· αὐτῇ δικαία κρίσις· οὗτος εὐσεβὴς ἄντος.—Act. XIII. [Bin. p. 414 B.] [Mans. col. 300 D.]

and passion, did tumultuously clamour, they gravely did check them, saying, *These vulgar exclamations neither become Bishops, nor shall advantage the parties<sup>g</sup>.*

In the great contest about the privileges of the Constantinopolitan See, they did arbitrate and decide the matter<sup>h</sup>, evén against the sense and endeavours of the Pope's Legates; the whole Synod concurring with them in these acclamations: *This is a right sentence; we all say these things; these things please us all; things are duly ordered: let the things ordered be held<sup>i</sup>.*

The Pope's Legates themselves did avow this authority in them: for, *If, said Paschasius, in the case of the Egyptian Bishops, your authority doth command, and ye enjoin that somewhat of humanity be granted to them<sup>k</sup>, &c.*

And in another case, *If, said the Bishops, supplying the place of the Apostolic See, your honours do command, we have an information to suggest<sup>l</sup>.*

Neither is the presidency of these Roman

<sup>g</sup> Αἱ ἐκβούσεις αἱ δημοτικαὶ, οὐτε ἐπισκόποις πρέπουσιν, οὐτε τὸ μέρη ὀφελήσουσιν.—Act. I. [Bin. p. 55 B.] [Mans. Conc. Tom. II. col. 592 D.]

<sup>h</sup> — κατὰ συνοδικὴν ἐκρύσταμεν ψῆφον οὐ τοσοῦτον τῷ θρόνῳ Κωνσταντινούπολεώς τι παρέχοντες, ὃσον ταῖς μητροπόλεσι τὴν εἰσαγόνην πρυτανεύοντες.—Syn. Chale. Ep. ad Leon. Bin. p. 475 B. [Mans. Conc. Tom. VI. col. 152 C.]

<sup>i</sup> Οἱ εὐλαβέστατοι ἐπίσκοποι ἐβόησαν· αὐτῇ δικαία ψῆφος, τοῖς πάντες λέγομεν· ταῦτα πᾶσιν ἀρέσκει· αὐτῇ δικαία κρίσις· τὰ τοιούτα κρατεῖται· αὐτῇ δικαία ψῆφος· πάντα δεῖντως ἐτυπάθη. — Act. XVI. [Bin. p. 464 C.] [Mans. Conc. Tom. VII. col. 453 A.]

<sup>k</sup> Εἰ προστάττεις ἡ ὑμετέρα ἔξουσία, καὶ κελεύετε τί ποτε εἴρης παρασχεθῆναι φιλανθρωπίας ἔχομενον —.—Act. IV. [Bin. p. 315 A.] [Mans. Conc. Tom. VII. col. 60 D.]

<sup>l</sup> Οἱ εὐλαβέστατοι ἐπίσκοποι, ἐπέσχοντες τὸν τόπον τοῦ ἀποστολικοῦ θρόνου, εἰπον· εἰ προστάττεις ἡ ὑμετέρα μεγαλειότης, ἔχαμεν διδοσκαλίαν ὑποβαλεῖν.—Act. XVI. [Bin. p. 451 D.] [Mans. col. 425 B.]

egates expressed in the Conciliar Acts; but they are barely said *συνελθεῖν*<sup>m</sup>, to concur, and *συνεπεῖν*<sup>n</sup>, to sit together, with the other Fathers: and accordingly, although they sometimes talked high, yet it is not observable that they did much there; their presidency was nothing like that at Trent, and in other like Papal Synods. It may be noted, that the Emperor's Deputies are always named in the first place, at the entrance of the Acts, before the Pope's Legates, so that they who directed the notaries were not Popish. In effect the Emperor was president, though not as a judge of spiritual matters, yet as an orderer of the Conciliar Transactions; as the Synod doth report it to Leo: *The faithful Emperors*, said they, *did preside* (or govern it) *for good order sake*<sup>o</sup>.

In the Fifth General Synod, Pope Vigilius, indeed, was moved to be present, and (in his way) to preside; but he out of state or policy declined it<sup>p</sup>; wherefore the Patriarch of Constantinople was the Ecclesiastical President, as in the beginning of every Collation doth appear: whence clearly we may infer that the Pope's presidency is nowise necessary to the being of a General Council.

In the Sixth General Synod the Emperor in

<sup>m</sup> Act. v. p. 333. Act. vii. p. 363 d. Act. viii. p. 366 c. Act. ix. p. 370 b. Act. xi. p. 401 d. Act. xiii. p. 414 e. Act. xiv. p. 420 d.

<sup>n</sup> Act. iii. p. 230 c.

<sup>o</sup> Βασιλεῖς δὲ πιστοὶ πρὸς εὐκοσμίαν ἔξηρχον.—Relat. Syn. ad eon. [Bin. p. 473 f.] [Mans. Conc. Tom. vi. col. 148 c.]

<sup>p</sup> Ideo petimus, præsidente nobis vestra beatitudine, sub tranquillitate, et sacerdotali mansuetudine, sanctis propositis evangelii, communi tractatu, &c.—Quint. Syn. Constant. Coll. i. [Bin. om. iv. p. 212 b. (Eutychius ad Vigil.)] [Mans. Conc. Tom. ix. n. 187 a.] Cf. Vig. ad Eutych. et Episc. [Bin. pp. 212—3.] [Mans. ibid.]

each *Act*<sup>q</sup> is expressly said to preside, in person or by his Deputies; although Pope Agatho had his Legates there.

In the Synod of Constance sometimes the Cardinal of Cambray, sometimes of Hostia, did preside, (by order of the Synod itself,) and sometimes the King of the Romans did supply that place<sup>r</sup>: so little essential was the Pope's presidency to a Council deemed even then, when Papal authority had mounted to so high a pitch.

Nor is there good reason why the Pope should have this privilege, or why this prerogative should be affixed to any one See; so that (if there be cause; as if the Pope be unfit, or less fit; if Princes or the Church cannot confide in him; if he be suspected of prejudice or partiality; if he be party in causes or controversies to be decided; if he do himself need correction) Princes may not assign, or the Church with allowance of Princes may not choose any other president, more proper in their judgment for that charge: in such cases the public welfare of Church and State is to be regarded.

Were an erroneous Pope (as Vigilius or Honoriūs) fit to govern a Council, gathered to consult about defining truth in the matter of their error?

Were a lewd Pope (as Alexander VI., John XII., Paul III. innumerable such, scandalously vicious) worthy to preside in a Synod convocated to prescribe strict laws of reformation?

<sup>q</sup> Προκαθημένου τοῦ εὐσεβεστάτου καὶ φιλοχρίστου μεγάλου βασιλέως, &c.

<sup>r</sup> Dominus Rom. Rex indutus vestibus regalibus recessit de Sede sua solita, et transivit ad aliam Sedem positam in fronte altaris, tanquam Præsidens pro tunc in Concilio.—Syn. Const. Sem. xiv. [Bin. Tom. vii. p. 1044.] [Maus. Conc. Tom. xxvii. col. 732c.]

Were a furious, pugnacious Pope (as Julius II.) fit to moderate an assembly drawn together for settlement of peace?

Were a Pope engaged in schism (as many have been) a proper moderator of a Council designed to suppress schism?

Were a Gregory VII., or an Innocent IV., or Boniface VIII. an allowable manager anywhere of controversies about the Papal authority?

Were, now, indeed any Pope fit to preside in any council wherein the reformation of the Church is concerned; it being notorious that Popes, as such, do most need reformation, that they are the great obstructors of it, that all Christendom hath a long time a controversy with them for their detaining it in bondage?

In this and many other cases we may reject their presidency, as implying iniquity, according to the rule of an old Pope: *I would know of them, where they would have that judgment they pretend, examined? What! by themselves? that the same may be adversaries, witnesses, and judges? To such judgment as this even human affairs are not to be trusted, much less the integrity of the Divine law.*<sup>8</sup>

It is not reasonable that any person should have such a prerogative, which would be an engine of mischief: for thereby (bearing sway in general assemblies of Bishops) he would be enabled and irresistibly tempted to domineer over the world; to abuse Princes, and disturb States;

<sup>8</sup> Quero tamen ab his, judicium quod prætendunt, ubinam sit agitari, an apud ipsos, ut iidem sint inimici, et testes, et iudices? Sed tali judicio, nec humana debent committi negotia, dum divinae legis integritas.—P. Gelas. I. Ep. iv. [Bin. Tom. iii. 625 r.] [Mans. Conc. Tom. viii. col. 19 c.]

to oppress and enslave the Church; to obstruct all reformation; to enact laws<sup>t</sup>; to promote and establish errors serviceable to his interests: the which effects of such power exercised by him in the Synod of Trent, and in divers other of the latter General Synods, experience hath declared.

III. If the Pope were Sovereign of the Church, the legislative power, wholly or in part, would belong to him; so far, at least, that no Synod, or Ecclesiastical Consistory, could without his consent determine or prescribe anything; his approbation would be required to give life and validity to their decrees; he should at least have a negative, so that nothing might pass against his will: this is a most essential ingredient of sovereignty; and is therefore claimed by the Pope, who long hath pretended that no decrees of Synods are valid without his consent and confirmation.

*But the Decrees made by the Holy Popes of the chief See of the Roman Church, by whose authority and sanction all Synods and holy Councils are strengthened and established, why do you say, that you do not receive and observe them<sup>u</sup>?*

*Lastly, as you know nothing is accounted valid, or to be received in Universal Councils, but what the See of St Peter has approved; so, on the other side, whatever she alone has rejected, that only is rejected<sup>v</sup>.*

<sup>t</sup> Nic. II. Lugd. Lat. IV. v.

<sup>u</sup> Decretalia autem, quae a sanctis Pontificibus primis Sedes Romanæ Ecclesiæ sunt instituta, cuius auctoritate atque sanctione omnes Synodi, et sancta Concilia roborantur, et stabilitatem sumunt, cur vos non habere, vel observare dicitis?—P. Nic. I. Ep. vi. (ad Photium.) [Bin. Tom. vi. 494, c. 2 B.] [Mans. Conc. Tom. xv. col. 176 E.]

<sup>v</sup> Denique ut in Universalibus Conciliis, quid ratum vel quid prorsus acceptum, nisi quod Sedes B. Petri probavit (ut ipsi scitis)

*We never read of any Synod that was valid, less it were confirmed by the Apostolic authority<sup>1</sup>.*

*We trust no true Christian is now ignorant, that See is above all the rest more obliged to observe the constitution of each Council, which the consent of Universal Church hath approved, than the prime See, which by its authority confirms every Synod, and by continued moderating preserves them according to its principality<sup>2</sup>, &c.*

But this pretence, as it hath no ground in the divine law<sup>3</sup>, or in any old Canon, or in primitive custom; so it doth cross the sentiments and practice of antiquity; for that in ancient Synods divers things were ordained without the Pope's consent, divers things against his pleasure.

What particular or formal confirmation did St Peter yield to the assembly at Jerusalem?

That in some of the first General Synods he was not apprehended to have any negative voice, by the very tenor and air of things, or by the

<sup>1</sup>betur; sicut e contrario quod ipsa sola reprobavit, hoc solummodo consistat hactenus reprobatum.—Id. Ep. vii. [Bin. p. 498, 2 d.] [Máns. col. 185 b.]

<sup>2</sup> — Nulla unquam Synodus rata legatur, quæ apostolica auctoritate non fuerit fulta.—P. Pelag. II. Ep. viii. [Bin. Tom. iv 476, c. 2 f.] [Máns. Conc. Tom. ix. col. 900 c.]

Cf. Grat. Dist. xvii. *Pape est Concilia Generalia congregare.* Corp. Jur. Can. Tom. i. pp. 20, 1.]

<sup>3</sup> Confidimus, quod nullus jam veraciter Christianus ignoret uscujusque Synodi constitutum, quod Universalis Ecclesiæ prout assensus, non aliquam magis exequi Sedem præ cæteris atere, quam primam; quæ et unamquamque Synodus sua auctoritate confirmat, et continuata moderatione custodit, prout scilicet principatu, &c.—P. Gelas. I. Ep. xiii. (ad Episc. d.) [Bin. Tom. III. p. 639 b.] [Máns. Conc. Tom. viii. col. 51 d.] ejusdem Tract de Anath. [Bin. p. 647.]

<sup>4</sup> God hath promised to bless particular Synods. Cf. Matt. i. 19.

little regard expressed toward him, sufficiently clear. There is not in the Synodical Epistles of Nice or of Sardica any mention of his confirmation.

Interpreatively all those Decrees may be supposed to pass without his consent, which do thwart these pretences; for if these are now good, then of old they were known and admitted for such; and being such, we cannot suppose the Pope willingly to have consented in derogation to them.

Wherefore the Nicene Canons establishing Ecclesiastical administrations without regard to him, and in authority equalling other Metropolitans with him, may be supposed to pass without his consent.

The Canons of the Second General Council, and of all others confirming those; as also the Canons of all Synods which advanced the See of Constantinople<sup>b</sup>, his rival for authority, above its former state, first to a proximity in order, then to an equality of privileges with the See of Rome,

<sup>b</sup> Conc. Constant. Can. III. [Bin. Tom. I. p. 661.] [Τὸν μέν τὸν Κωνσταντινουπόλεως ἐπίσκοπον ἔχειν τὰ πρεσβεία τῆς τιμῆς μετὰ τῆς Ἀριανοῦ ἐπίσκοπον, διὰ τὸ εἶναι αὐτὴν νέαν Ἀριανοῦ.—Mans. Conc. Tom. III. col. 560 c.]

Conc. Chalc. Can. IX. XVII. XXVIII. [Bin. Tom. III. pp. 442, 444, 446.] [Can. IX. Εἰ δὲ πρὸς τὸν τῆς αὐτῆς ἐπαρχίας μητροπολίτην ἐπίσκοπος, ἡ κληρικὸς ἀμφισβητοίν, καταλαμβανέτω ἡ τὸν ἐξαρχον τὴν διοικήσεως, ἡ τὸν τῆς βασιλεούσης Κωνσταντινουπόλεως θρόνον, ἡ ἐπ' αὐτῷ δικαζέσθω.—Mans. Tom. VI. col. 361 D. Can. XVII. Εἰ δὲ τις παρὰ τοῦ ἰδίου ἀδικούτοι μητροπολίτου, παρὰ τῷ ἐξάρχῳ τῆς διοικήσεως, ἡ τῷ Κωνσταντινουπόλεως θρόνῳ δικαζέσθω.—Mans. col. 366 B. Can. XXVIII. Καὶ τῷ αὐτῷ σπονδῇ κινούμενοι οἱ ἥντες θεοφιλίσταται ἐπίσκοποι, τὰ ἵστα πρεσβεία ἀπένειμαν τῷ τῆς νέας Ἀριανοῦ θρόνῳ, &c.—Mans. col. 369 B.]

Syn. Trull. Can. XXXVI. [Bin. Tom. V. p. 833 c. Ὁρίζομεν ὅστε τὸν Κωνσταντινουπόλεως θρόνον τῶν ἵστων ἀπολαύειν πρεσβείαν τοῦ τῆς πρεσβυτέρας Ἀριανοῦ θρόνου.—Mans. Conc. Tom. XI. col. 960 c.]

ay, as plainly contrary to his interest and spirit, : supposed to pass without his consent: and so vers Popes have affirmed. If we may believe ope Leo, (as I suppose,) the Canons of the econd Council were not transmitted to Rome<sup>c</sup>: ey did therefore pass, and obtain in practice of e Catholic Church, without its consent or knowl- dge. Pope Gregory I. saith, that the Roman hurch did not admit them<sup>d</sup>; wherein it plainly iscorded with the Catholic Church, which with ll reverence did receive and hold them: and in lespite to the Canon of that Synod, advancing the Royal City to that eminency, Pope Gelasius I. would ot admit it for so much as a Metropolitan See<sup>e</sup>. O proud insolency! O contentious frowardness! O rebellious contumacy against the Catholic Church and its peace! Such was the humour of that See, to allow nothing which did not suit with the inter- ests of its ambition.

But further, divers Synodical decrees did pass expressly against the Pope's mind and will: I pass over those at Tyre, at Antioch, at Ariminum, at Constantinople, in divers places of the East (the which do yet evince that commonly there was no

<sup>c</sup> Persuasioni enim tuae in nullo penitus suffragatur, quorundam episcoporum ante sexaginta, ut jactas, annos, nunquamque a præ- fessoribus tuis ad Apostolicas Sedis transmissa notitiam —. — P. Leo I. Ep. cvi. [Opp. Tom. I. col. 1166.]

<sup>d</sup> Romana autem Ecclesia eosdem Canones vel gesta Synodi hanc hactenus non habet, nec accepit; in hoc autem eandem lynesum accepit, quod est per eam contra Macedoniaum definitum.—P. Greg. M. Ep. VII. 34. [Opp. Tom. II. col. 882 E.] The same Pope Leo I. doth affirm.—Ep. cvi. [Opp. Tom. I. p. 1166.]

<sup>e</sup> — ejus civitatis quae non solum inter Sedes minimo numeratur, sed nec inter Metropolitanorum jura censetur, &c.— Gelas. I. Ep. xiii. (ad Episc. Dard.) [Bin. Tom. III. p. 642 D.] Mana. Conc. Tom. ix. col. 59 A.]

such opinion entertained of this privilege belonging to the Pope), and shall instance only in General Synods.

In the Synod of Chalcedon equal privileges were assigned to the Bishop of Constantinople, as the Bishop of Rome had<sup>f</sup>; this with a general concurrence was decreed and subscribed<sup>g</sup>, although the Pope's Legates did earnestly resist, clamour, and protest against it<sup>h</sup>; the imperial Commissioners and all the Bishops not understanding or not allowing the Pope's negative voice. And whereas Pope Leo<sup>i</sup> (moved with a jealousy, that he who thus had obtained an equal rank with him should aspire to get above him) did fiercely dispute, exclaim, inveigh, menace against this order, striving to defeat it, pretending to annul it, labouring to depress the Bishop of Constantinople from that degree, which both himself and his Legates in the Synod had acknowledged due to him: in which endeavour divers of his successors did imitate him; *Eusebius, Bishop of Dorylaeum, said, I*

<sup>f</sup> Οἱ δέ θεοφιλέστατοι ἐπίσκοποι τὰ ἴα πρεσβεῖα ἀπένεμε τῆς νέας Ῥώμης ἀγιωτάτῳ θρόνῳ.—Conc. Chalc. Can. xxviii. [Bin. Tom. iii. p. 447 a.] [Mans. Conc. Tom. vii. col. 369 b.]

<sup>g</sup> Πάντα ἡ σύνοδος ἐκύρωσε.—In fine Actorum. [Bin. p. 461.] [Mans. Tom. vii. col. 453 c.]

<sup>h</sup> Indo enim fratres nostri ab Apostolica Sede directi, qui vice mea Synodo praesidebant, probabiliter atque constanter illius ausibus obstiterunt, aporto reclamantes, &c.—P. Leo I. Ep. cxi. [Opp. Tom. i. col. 1163.]

Οἱ εὐλαβέστατοι ἐπίσκοποι ἐβόρσαν οὐδεὶς ἡγαγάσθη.—Conc. Chalc. Act. xvi. [Bin. p. 459 E.] [Mans. Tom. vii. col. 441 D.] (Against P. Leo's assertion, that the consent was extorted.)

Τὸ γὰρ ἐκ πολλοῦ κρατήσαν θέος—κατὰ συνοδικήν ἐκρέσειν ψῆφον, say the Fathers to Pope Leo.—Bin. p. 475 b. [Mans. Tom. vi. col. 152 c.] *By a Synodical vote we have confirmed this ancient custom.*

<sup>i</sup> Cf. Epp. civ. cv. cvi. cxiv. cxix.

ave unwillingly subscribed, because I have read this canon to the most holy Pope of Rome, the clergy of Constantinople being present, and he received it<sup>k</sup>. Let could not he or they accomplish their design; the veneration of that Synod and consent of Christendom overbearing their opposition; the Bishop of Constantinople sitting in all the succeeding General Synods in the second place, without any contrast; so that at length Popes were fain to acquiesce in the Bishop of Constantinople's possession of the second place in dignity among the Patriarchs.

In the Fifth General Synod Pope Vigilius did make a Constitution, in most express terms prohibiting the condemnation of the *Three Chapters*, (as they are called,) and the anathematization of persons deceased in peace of the Church; *We dare not ourselves, says he, condemn Theodorus, neither do we yield to have him condemned by any other*<sup>l</sup>; and in the same Constitution he orders and decrees: *That nothing be said or done by any to the injury or discredit of Theodoret, Bishop of Cyrus, a man most approved in the Synod of Chalcedon<sup>m</sup>:* *And the same, says he, have the decrees of the Apostolical See determined, that no man pass a*

<sup>k</sup> Εὐσέβιος ἐπίσκοπος Δορυλαίου εἶπεν ἐκὼν ὑπέγραψα· ἐπειδὰν καὶ οὐ κανόνα τοῦτον τῷ ἀγιωτάτῳ Πάπᾳ ἐν Ῥώμῃ ἐγὼ ἀνέγνων, παρόντων Δηρκῶν Κωνσταντινουπόλεως, καὶ ἀπεδέξατο αὐτόν.—Syn. Chalc. Act. vi. [Bin. p. 462 d.] [Mans. col. 449 b.]

<sup>l</sup> Eum (Theodorum) nostra non audemus damnare sententia, sed nec ab alio quopiam condemnari concedimus.—Vig. Constit. Bin. Tom. iv. p. 186 E.] [Mans. Conc. Tom. ix. col. 96 b.]

<sup>m</sup> Hac ergo rerum veritate perpensa, statuimus atque decernimus, nihil in injuriam atque obrectationem probatissimi in Chalceonensi Synodo viri, hoc est, Theodoreti Episcopi Cyri, sub taxatione minis ejus a quoquam fieri vel proferri.—Ibid. [Mans. col. 97 c.]

*new judgment upon persons dead, but leave them as death found them*<sup>n</sup>: lastly by that Constitution he specially provides, *That (as he had before said) nothing might be derogated from persons dying in the peace and communion of the Universal Church, by his condemning that perverse opinion*<sup>o</sup>. Yet did the Synod (in smart terms reflecting on the Pope, and giving him the lie, not regarding his opinion or authority) decree, that persons deceased were liable to be anathematized<sup>p</sup>; they did anathematize Theodorus, they did expressly condemn each of the *Chapters*<sup>q</sup>; they threatened deposition or excommunication on whoever should oppose their constitutions<sup>r</sup>; they anathematize whoever doth not anathematize Theodorus<sup>s</sup>.

<sup>n</sup> Idemque regulariter Apostolicae Sedis definiunt constituta: Nulli licere noviter aliquid de mortuorum judicare personis; sed in hoc relinqui, in quo unumquemque supremus dies invenit—.  
—Ibid. [Mans. col. 96 b.]

<sup>o</sup> Hac praesentis constitutionis dispositione quam maxime prouidemus, ne (sicut supra diximus) personis, quae in pace et communione Universalis Ecclesiae quieverunt, sub hac damnati a nobis perversi dogmatis occasione aliquid derogetur.—Ibid. p. 187<sup>l</sup> [Mans. col. 98 c.]

<sup>p</sup> Quoniam post hec omnia impietatis illius defensores, injurias contra Creatorem suum dictis gloriantes, dicebant non oportere cum post mortem anathematizare — qui haec dicunt, nullam curam Dei iudicatorum faciunt, nec apostolicarum pronunciationum, nec paternarum traditionum.—Quint. Syn. Constant. Coll. viii. [Bin. Tom. iv. p. 289 f.] [Mans. Conc. Tom. ix. col. 371 d.]

<sup>q</sup> Condemnamus autem et anathematizamus una cum omnibus aliis haereticis — et Theodorum.—Ibid. Coll. viii. [Bin. p. 291<sup>r</sup>] [Mans. col. 375 d.]

Quod dicitur a quibusdam, quod in communicatione et pace Ecclesiarum defunctus est Theodorus, mendacium est, et calumnia magis adversus Ecclesiam.—Ibid. Coll. v. [Bin. p. 250 <sup>A</sup>] [Mans. col. 273 b.]

<sup>r</sup> Si quis conatus fuerit contra haec quae pie disposuimus, vel tradere, vel docere, vel scribere, si quidem Episcopus vel Clericus sit, iste tanquam aliena a sacerdotibus et statu ecclesiastico faciens,

But Pope Vigilius did refuse to approve their trine and sentence<sup>t</sup>; and therefore (which was case of many other Bishops, as Baronius<sup>u</sup> himself confess and argue) was driven into banishit; wherein he did expire. Yet posterity hath traced this Synod as a legitimate and valid General Synod; and the Popes following did pro the highest reverence thereto, equally with the preceding General Synods<sup>v</sup>; so little necessary is Pope's consent or concurrence to the validity Synodical definitions. Upon this Baronius hath admirable reflection: *Here stay, saith he, Order, and consider the matter attently, (ay, do so, may,) that it is no new thing, that some Synod, which the Pope was not even present by his gates, but did oppose it, should yet obtain the e of an Ecumenical Synod; whenas afterward Pope's will did come in, that it should obtain h a title*<sup>w</sup>. So, in the opinion of this doctor, the udabitur episcopatu vel clericatu: si autem monachus vel laicus anathematizabitur.—Coll. viii. [Bin. p. 293 c.] [Mans. col. c.]

<sup>t</sup> Si quis defendit prædictum impium Theodorum——et non thematicat eum——talis anathema sit.—Ibid. [Mans. col. 386 A.]

<sup>u</sup> ——Contra ipsius (Pontificis Rom.) decreta ab ea (Synodo) ter sententia dicta.—Baron. Annal. Eccles. Anno 553. § 219. n. x. p. 131, c. 2.]

<sup>v</sup> Anno 553. § 223. [Tom. x. p. 133, c. 1.]

Non consentientes depositi in exilium missi sunt.—Liberat. t. cap. xxiv. [apud Bin. Tom. iv. p. 400, c. 1 c.]

<sup>w</sup> Quintam quoque Synodum pariter veneror.—[P. Greg. I. t. 25.] [Opp. Tom. ii. p. 515 c.] Cf. P. Pelag. II. [Ep. vii. 7. Bin. Tom. iv. p. 308.] Agatho. Syn. vi. Act. iv. Leo, Syn. t. xviii. Hadrian ad Nectar.

Hic siste, lector, atque rem attente considera; non esse hoc im, ut aliqua Synodus, cui nec per Legatos ipse Pontifex interit, sed adversatus fuerit, titulum tamen obtinuerit Ecumenicæ; postea ut hujusmodi titulum obtineret, Romani Pontificis vo as accessit.—Ann. 553. § 224. [Tom. x. p. 133, c. 1.]

Pope can easily change the nature of things, and make that become a General Synod which once was none; yea which, as it was held, did not deserve the name of any Synod at all<sup>a</sup>. O the virtue of Papal magic! or rather, O the impudence of Papal advocates!

The Canons<sup>a</sup> of the Sixth General Council, exhibited by the Trullane (or Quinisext) Synod, clearly and expressly do condemn several doctrines and practices of Rome<sup>b</sup>; I ask whether the Pope did confirm them? They will, to be sure, as they are concerned to do, answer, No: and indeed Pope Sergius, as Anastasius in his Life reporteth, did refuse them<sup>c</sup>; yet did they pass for legitimate in the whole Church; for in their General Synod, (the second Nicene,) without contradiction, one of them is alleged (out of the very original paper, wherein the Fathers had subscribed) as a *Canon of the holy General Sixth Synod*<sup>d</sup>; and avowed for

<sup>a</sup> Si ad numeros omnes, quibus constare debet Synodus, ut Ecumenica, in Spiritu Sancto legitime congregata dicatur, istam conferas:—plene consenties ipsam non Ecumenicæ tantum, sed nec privatae Synodi mereri nomen.—Ann. 553. § 219. [p. 131. c. 2.]

<sup>b</sup> Can. II. VII. XIII. XXXVI. LV. LVIII. LXVII.

<sup>b</sup> —— in quibus diversa capita Romanæ Ecclesiæ, contraria scripta inerant.—Anastas. in Vit. Joh. VII. [Tom. I. p. 157.]

<sup>c</sup> [Hujus itaque temporibus Justinianus Imperator Concilium in Regia Urbe jussit fieri, in quo et Legati Sedis Apostolicae consererant, et decepti subscriperant. Compellebatur autem et ipse subscribere, sed nullatenus acquievit. — Qui beatissimus Pontifex ut dictum est, penitus eidem Justiniano Augusto non acquievit, nec eosdem tomos suscipere aut lectione pandere passus est.—In Vit. Serg. Tom. I. p. 151.]

<sup>d</sup> Κανὼν τῆς ἀγίας καὶ οἰκουμενικῆς ἐκκλησῆς Συνόδου.—Syn. Nic. II. Act. IV. [Bin. Tom. v. p. 631 A.] [Mans. Conc. Tom. XIII. col. 40 E.]

Πρωτότυπος χάρτης ἐστὶν, ἐν φῶντάς οἱ ἀγιοι πατέρες.—[Bin. p. 631 E.] [Mans. col. 41 B.]

1 by the Patriarch Tarasius, both in way of  
ument of defence and of profession in his Sy-  
ical Epistle to the Patriarchs; (where he saith,  
; together with the divine doctrines of the Sixth  
od, he doth also embrace the Canons enacted by  
) of which Epistle Pope Adrian, in his answer  
:eto, doth recite a part containing those words,  
applaud it for orthodox<sup>1</sup>; signifying no offence  
his embracing the Trullane Canons. And all  
se hundred and two Canons are again avowed  
the Synod in their Antithesis to the Synod of  
stantinople. In fine, if we believe Anastasius,  
e John VII. did, *being timorous, out of human  
ility, direct these Canons, without amendment, by  
Metropolites, to the Emperor<sup>2</sup>*; that is, he did  
it them so as they stand.

But it may be instanced that divers Synods  
e asked the Pope's consent for ratification of  
r decrees and acts.

So the Fathers of the Second General Synod,  
ing in an Epistle to Pope Damasus and the  
stern Bishops declared what constitutions they  
made, in the close speak thus: *In which  
gs, 'being legally and canonically settled by us,*

Τῆς δὲ αὐτῆς ἁγίας ἔκτης Συνόδου, μετὰ πάντων τῶν ἐνθεσμων  
θεωδῶς ἐκφωνηθέντων δογμάτων παρ' αὐτῆς, καὶ τοὺς ἐκδοθέντας  
τας ἀποδέχομαι.—Act. III. [Bin. p. 592 F.] [Mans. Tom. XII.  
1123 E.]

Ταῦτη τῇ μαρτυρίᾳ τῆς ὁρθοδόξου πίστεως, &c.—Act. II. [Bin.  
67 B.] [Mans. col. 1079 c.]

Sextam Synodum Sanctam recipio cum omnibus Canonibus  
—Hadrian. Papa ad Tharas. Patriarch. apud Grat. Dist. XVI.  
v. [Corp. Jur. Can. Tom. I. p. 17.]

<sup>1</sup> Sed hic humana fragilitate timidus, hos nequaquam tomos  
ndans per suprasatos Metropolitas direxit ad Principem.—  
st. in Vit. Joh. VII. [p. 157.]

*we do exhort your reverence to acquiesce, out of spiritual charity and fear of the Lord<sup>h</sup>.*

So the Synod of Chalcedon did, with much respect, ask from Pope Leo the confirmation of its sanctions: *That you may know how that we have done nothing for favour or out of spite, but as guided by the divine direction, we have made known to you the force of all that has been done, for your concurrence, and for the confirmation and approbation of the things done<sup>i</sup>.*

Of the Fifth Synod Pope Leo II. saith: *That he agreed to what was determined in it, and confirms it with the authority of the blessed St Peter<sup>k</sup>.*

To these allegations we reply, that it was, indeed, the manner of all Synods, (for notification of things, and promulgation of their orders; for demonstration and maintenance of concord; for adding weight and authority to their determinations; for engaging all Bishops to a willing compliance in observing them, for attestation to the common interest of all Bishops in the Christian truth, and in the governance and edification of the Church,) having framed decrees concernin~~g~~

<sup>h</sup> Οἵς ὡς ἐνθέσμως καὶ κανονικῶς παρ' ἡμῖν κεκρατηκόσι, καὶ τῷ<sup>τῷ</sup> ἡμετέραν συγχαίρειν παρακαλοῦμεν εὐλάβειαν, τῆς πνευματικῆς μεσητεύσοστης δύαπτης, καὶ τοῦ κυριακοῦ φόβου, &c.—Theodor. Eccl. Hist. v. 2. [Tom. III. p. 717 D].

<sup>i</sup> Ιγα δὲ γνώτε, ὡς οὐδὲν πρὸς χάριν, ἢ πρὸς ἀπέχθειαν πεποιήκαμεν. ἀλλ' ὡς θείφ κυβερνώμενοι νεύματι, πᾶσαν ἡμῖν τῶν πεπραγμάτων τῷ δόναμιν ἐγνωρίσαμεν εἰς σύστασιν ἡμετέραν, καὶ τῶν πεπραγμάτων βεβαιώσιν τε καὶ συγκατάθεσιν.—Syn. Chalc. ad P. Leon. I. [Bin. Tom. III. p. 476 B.] [Mans. Conc. Tom. VI. col. 156 A.]

<sup>k</sup> Διὸ δὴ καὶ ἡμεῖς, καὶ διὰ τῆς ἡμετέρας τάξεως οὐτος ὁ προσκυνητες καὶ ἀποστολικὸς θρόνος—τοῖς παρ' αὐτῆς δρισθέντας συναυτεῖ, καὶ τῇ αὐθεντίᾳ τοῦ μακαρίου Πέτρου βεβαιοῦ.—P. Leo II. Ep. ad Const. Imp. Syn. vi. Act. xviii. [Bin. Tom. V. p. 306 E.] [Mans. Conc. Tom. XI. col. 732 A.]

the public state, to demand in fairest terms the consent to them of all Catholic Bishops, who were absent from them, to be attested by their subscription. So did Constantine recommend the Nicene decrees to all Bishops, undertaking that they would assent to them<sup>1</sup>.

So (more expressly) the Synod of Sardica, in their Epistle to all Bishops of the Catholic Church: *Do ye also, our brethren and fellow-ministers, the more use diligence, as being present in spirit with our Synod, to yield consent by your subscription, that concord may be preserved everywhere by all the fellow-ministers<sup>m</sup>.* So did Pope Liberius request of the Emperor Constantius: *That the Faith delivered at Nice might be confirmed by the subscription of all Bishops<sup>n</sup>.* So did Athanasius procure a Synod at Alexandria to confirm the decrees at Sardica and in Palestine concerning him<sup>o</sup>. So the Macedonian Bishops are said to have authorized their agents to ratify the faith of consubstantiality<sup>p</sup>.

Many such instances occur in story, by which it may appear that the decrees of Synods concerning faith, or concerning any matters of common interest,

<sup>1</sup> Λασμένως δέχεσθε τὴν τοῦ Θεοῦ χάριν καὶ θείαν ὡς ἀληθῶς ἐν τῷ περιττῷ.—Euseb. de Vit. Const. III. 20.

Καὶ αὐτὸς δὲ τῇ ὑμετέρᾳ ἀγχινοὶς ἀρέσαι ὑπεσχόμην.—Ib. III. 19.

<sup>m</sup> Σπουδάσατε δὲ μᾶλλον καὶ ὑμείς, ἀδελφοί καὶ συλλειτουργοί, ὡς τῷ πνεύματι παρόντες τῇ Συνόδῳ ἡμῶν, συνεπιψηφίσασθαι δι' ὑπογράφης ὑμετέρας, ὑπέρ τοῦ παρὰ πάντων τῶν πανταχοῦ συλλειτουργῶν τῷ ὁμοφωνίᾳ διασώζεσθαι.—Syn. Sard. Epist. apud Athan. in Apol. con. Arian. [Opp. Tom. I. p. 167 E.]

<sup>n</sup> Εξήγετε δὲ τὴν μὲν ἐν Νικαίᾳ παραδοθεῖσαν πίστιν ὑπογραφαῖς τῶν πανταχοῦ ἐπισκόπων κρατύνεσθαι.—Soz. IV. 11.

<sup>o</sup> Σύνοδον γενέσθαι παρεσκενάστε τῷ ἐξ Αἰγύπτου ἐπισκόπῳ, καὶ ἐπιψηφίσατε τοῖς ἐν Σαρδοῖ καὶ Παλαιστίνῃ περὶ αὐτοῦ δεδογμένοις.—Id. IV. I.

<sup>p</sup> Ἐντειλάμενοι——κυρώσατε τὴν τοῦ δμοουσίου πίστιν.—Soz. IV. 12.

were presented to all Bishops, and their consent requested or required: *Because, say the Roman Clergy in St Cyprian, a decree cannot be firm, which has not the consent of many*<sup>a</sup>.

Whence it is no wonder, if any Synods did thus proceed toward so eminent a Bishop as was he of Rome, that they should endeavour to give him satisfaction; that they should desire to receive satisfaction from him of his conspiring with them in faith, of his willingness to comply in observing good rules of discipline; that (as every vote had force, so) the suffrage of one in so great dignity and reputation might adjoin some regard to their judgment<sup>b</sup>.

The Pope's confirmation of Synods, what was ~~it~~ in effect but a declaration of his approbation and assent, the which did confirm by addition of suffrage; as those who were present by their vote, and those who were absent by their subscription, are said to confirm the decrees of Councils<sup>c</sup>; every such consent being supposed to increase the authority; whence the number of Bishops is sometimes reckoned according to the subscriptions of Bishops absent; as the Council of Sardica is sometimes related to consist of three hundred Bishops, although not two hundred were present, the rest concurring by subscription to its definitions.

<sup>a</sup> —— quoniam nec firmum decretum potest esse, quod non plurimorum videbitur habuisse consonum.—Cler. Rom. apud Cyp. [Opp. Ep. xxxi. p. 44.]

<sup>b</sup> Παρακαλούμεν τούνν, τίμησον καὶ ταῖς σαῖς ψήφοις τὴν ερίσι.—Syn. Chalc. ad Leon. [Bin. Tom. III. p. 476 A.] [Mans. Conc. Tom. VI. col. 153 c.]

<sup>c</sup> Κατὰ τὴν συνοδικὴν ἐκυρώσαμεν ψῆφον.—[Bin. p. 475 B.] [Mans. col. 152 c.]

Other Bishops, in yielding their suffrage, do express it by, *I confirm, I define, I decree*<sup>1</sup>:

But the effectual confirmation of Synods, which gave them the force of laws, was in other hands, and depended on the imperial sanction. So Justinian affirmeth generally: *All these things at diverse times following, our above-named predecessors, of pious memory, corroborated and confirmed by their laws what each Council had determined, and expelled those heretics who attempted to resist the definitions of the aforesaid four Councils, and disturb the churches*<sup>2</sup>. So particularly Constantine (as Athanasius himself reporteth) did by law confirm the decrees of the great Synod of Nice<sup>3</sup>: and Eusebius assureth the same: *He, saith he, did ratify the decrees of the Synod by his authority*<sup>4</sup>. His letters are extant, which he sent about the world, exhorting and requiring all to conform to the constitutions of that Synod. So Theodosius did confirm the decrees of the Second General Synod, adding, saith Sozomen,

<sup>1</sup> *Ab universis Episcopis dictum est. Sententias fratrum omnes sequimur, omnes confirmamus, et observandas esse decernimus.*—Conc. Rom. sub P. Hil. [Bin. Tom. III. p. 579 B.] [Mans. Conc. Tom. VII. col. 963 c.]

<sup>2</sup> *His itaque omnibus per diversa tempora subsecutis, praedicti p[ro]p[ter]e recordationis nostri Patres ea quae in unoquoque Concilio iudicata sunt, legibus suis corroboraverunt, et confirmaverunt; et hereticos qui definitionibus praedictorum sanctorum quatuor Conciliorum resistere, et Ecclesias conturbare conati sunt, expulerunt.*—Justin. in Conc. v. Coll. I. [Bin. Tom. IV. p. 210 E.] [Mans. Conc. Tom. IX. col. 180 A.]

<sup>3</sup> *Τὰ παρ' ἐκείνων γραφέντα, τοῦ συνεδρίου κοινωνῶν, ἐκρύτυνε νόμος.*—Athan. apud Theodor. Eccl. Hist. II. 3. [Opp. Tom. III. p. 586 c.]

<sup>4</sup> *Τὰ τῆς Συνόδου δόγματα κυρῶν ἐπεσφραγίζετο.*—Euseb. de Vit. Const. III. 23.

*Ὑποδέχεσθαι καὶ διατάττειν διεθέτε.*—Id. III. 20.

his confirmatory suffrage to their decree<sup>a</sup>: the which he did at the supplication of the Fathers, addressed to him in these terms: *We therefore do beseech your grace, that by your pious edict the sentence of the Synod may be authorized; that as by the letters of convocation you did honour the assembly, so you would also confirm the result of things decreed*<sup>b</sup>.

The Third General Synod was also confirmed by Theodosius II. as Justinian telleth us: *The above-named Theodosius, of pious memory, maintaining what had been so justly determined against Nestorius and his impiety, made his condemnation valid*<sup>b</sup>. And this Emperor asserted this privilege to himself, as of right and custom belonging to him; writing to the Synod in these words: *For all things, so as may please God, without contentiousness and with truth being examined, ought so to be established by our religiousness*<sup>c</sup>.

The other abortive Synod at Ephesus was also confirmed by Theodosius junior, as Dioscorus in his defence alleged in these words, which shew the manner of practice in this case: *We then indeed*

<sup>a</sup> Καὶ τὰ μὲν ὅδε τῆς Συνόδου ἔδοξε· καὶ δὲ βασιλεὺς ἐπεψηφίσατο.—*Soz.* vii. 9.

<sup>b</sup> Δεόμεθα τοῖνυν τῆς σῆς ἡμερότητος, γράμμασι τῆς σῆς εὐστητές ἐπικυρωθῆναι τῆς Συνόδου τὴν ψῆφον ἵνα ἀσπερ τοῖς τῆς κλήσεως γράμμασι τὴν ἐκκλησίαν τετίμηκας, οὐτω καὶ τῶν δοξάτων ἐπισφραγίσῃς τὸ τέλος.—*Pref. ad Can. Conc. Constant.* [Bin. Tom. i. p. 660 b.] [Mans. Conc. Tom. iii. col. 557 c.]

<sup>b</sup> Sed prædictus piæ recordationis Theodosius, vindicans eam, quæ ita recte contra Nestorium, et ejus impietatem fuerant judicata, fecit firmiter obtinere contra eum factam condemnationem.—*Justin. in Conc. v. Coll. i.* [Bin. Tom. iv. p. 210 c.] [Mans. col. 179 b.]

<sup>c</sup> Χρὴ γάρ πάντα κατὰ τὸ τῷ Θεῷ μέλλον ἀρέσκειν, δίχα φιλοσεις καὶ μετὰ ἀληθείας ἐξετασθέντα, οὐτω παρὰ τῆς ἡμετέρας θεοσεβείας βεβαιωθῆναι.—*Epist. Theod. ad Syn. Eph. in Actis Conc.* [Bin. Tom. ii. p. 375 E.] [Mans. Conc. Tom. iv. col. 1380 b.]

*id judge the things which were judged; the whole synod did accord with us, and gave verdict by their own votes, and subscribed; and they were referred to the most religious Emperor Theodosius, of happy memory; and he did by a general law confirm all things judged by the Holy and Ecumenical Synod<sup>d</sup>.*

So also did the Emperor Marcian confirm the Synod of Chalcedon, as himself telleth us in his Royal Edict: *We, saith he, having by the sacred edict of our serenity confirmed the Holy Synod, did warn all to cease from disputes about Religion<sup>e</sup>:* with which Pope Leo signifieth his compliance in these terms: *But because by all means your piety and most religious will must be obeyed, I have willingly approved the Synodical constitutions about confirming the Catholic Faith and condemning heretics, which pleased me<sup>f</sup>.*

Justinian did with a witness confirm the Fifth Synod, punishing with banishment all who would not submit to its determinations.

In the Sixth Synod the Fathers did request

<sup>d</sup> Ἡμεῖς τούτων ἐκρίναμεν τὰ κεκριμένα· συνήνεσεν ἡμῖν πᾶσα ἡ ἡγεμονία, καὶ κατέθετο οἰκεῖας φωναῖς, καὶ ὑπέγραψε· καὶ ἀνηρέχθη τῷ διοικητάτῳ βασιλεῖ τῷ τῆς θείας λήξεως Θεοδοσίῳ· καὶ ἐβεβαίωσεν τὰ κεκριμένα παρὰ τῆς ἀγίας καὶ οἰκουμενικῆς Συνόδου τόμῳ γεγράψας.—Syn. Chalc. Act. I. [Bin. Tom. III. p. 59 E.] [Mans. Tom. VI. col. 601 A.]

<sup>e</sup> Ἱερῷ τῆς ἡμετέρας ἡμερόγητος διατάγματι, τὴν ἀγίαν βεβαιώσαντες ἡγεμονίας ἀπαρτασσόμενοι ἀπαρτασσόμενοι, ὅπερ τῶν περὶ θρησκείας παύσασθαι διαίτησαν.—Syn. Chalc. Pars III. [Bin. p. 478 B.] [Mans. Conc. Tom. II. col. 480 A.]

<sup>f</sup> Quia vero omnibus modis obediendum est pietatis vestrae diligiosissimae voluntati, constitutionibus Synodalibus, quae mihi confirmatione Fidei Catholicæ et de hereticorum damnatione pliegerunt, libens adjeci sententiam meam.—P. Leo I. Ep. cxv. ad Marcian. Aug.) [Opp. Tom. I. col. 1203.]

the Emperor, according to custom, to confirm its definitions, in these very words: *To what we have determined set your seal, your royal ratification by writing, and confirmation of them all by your sacred edicts and holy constitutions, according to custom<sup>g</sup>.*

*We beg that by your sacred signing of it you would give force to what we have defined and subscribed<sup>h</sup>.*

*We entreat the power of our lord, guided by God's wisdom, to confirm, for the greater strength and security of the orthodox Faith, the copies of our determination read in the hearing of your most serene majesty; and subscribed by us, that they may be delivered to the five patriarchal Sees with your pious confirmation<sup>i</sup>.*

Accordingly he did confirm that Synod by his edict: *All these things being thus ordered by this Sixth Holy and Ecumenical Synod; we decree, that none whosoever trouble himself further about this Faith, or advance any new inventions about it<sup>k</sup>.*

<sup>g</sup> Καὶ τοῖς παρ' ἡμῶν ὄρισθεῖσι σφραγίδα παράσχου, τὴρ ἡμῶν ἔγγραφον βασιλικὴν ἐπικύρωσιν, καὶ διὰ θείων ἡδίκτων, καὶ τῶν ἐξ ἡμῶν εὐσεβῶν διατάξεων τὴν τούτων ἀπάτων βεβαίωσιν.—Syn. vi. Act. xviii. [Bin. Tom. v. p. 275 E.] [Mans. Conc. Tom. xi. col. 668 A.]

<sup>h</sup> Αἰτοῦμεν — διὰ θείας ὑμῶν ὑποσημειώσεως τὸ κίρος παρασχέσθαι τῷ παρ' ἡμῶν ἐκφωνηθέντι ἐνπογράφῳ ὅρῳ.—Ibid. [Bin. p. 283 E.] [Mans. col. 681 A.]

<sup>i</sup> Αἰτοῦμεν τὸ θεόσοφον τοῦ δεσπότου κράτος, πρὸς μείζονα τῆς ὁρθοδόξου πίστεως ἀσφάλειάν τε καὶ βεβαίωσιν ἴστοτύπους ἐνπογράφῳ ὅρους τοῦ ἀναγνωσθέντος κατὰ παρουσίαν τοῦ γαληνοτάτου ὑμῶν εργοῦ ὅρου ἐκδοθῆναι τοῖς πέντε πατριαρχικοῖς θρόνοις μετὰ τῆς εὐσεβοῦς ἡμῶν ὑποσημειώσεως.—[Ibid. Bin. p. 284 C.] [Mans. col. 284 C.]

<sup>k</sup> Τούτων οὐτως ἀπάτων ὑπὸ τῆς ἀγίας ταύτης καὶ οἰκουμενῆς ἐπειρ Συνόδου διατυπωθέντων, Sancimus, ὥστε μηδένα τῶν πάτων ἐπερόν περὶ τὴν πίστιν ἐργάσασθαι, ἡ καινότερον δόγματος ἐφεύρεμα μεταπτασθαι, &c.—Ibid. Edict. Const. [Bin. p. 294 F.] [Mans. col. 709 E.]

o he told Pope Leo II. in his Epistle to him: *his divine and venerable determination the Holy ynod has made, to which we also have subscribed, and confirmed it by our religious edicts, exhorting all our people, who have any love for Christ, to follow the faith there written!*<sup>1</sup>

Pope Leo tells his namesake Leo the Emperor, *that he must always remember that the imperial power was given him, not only to rule the world, but more especially to protect the Church*<sup>m</sup>.

So by long prescription, commencing with the First General Synod, did the Emperor enjoy this prerogative; and with good reason, he having an unquestionable warrant and obligation to promote the welfare of the Church, designed by those Conventions; he being the guardian of concord among his subjects, and protector of their liberties, which might be nearly concerned in Conciliar proceedings; the power of enacting Laws being an incommutable branch of Sovereign Majesty; he alone having power committed to him, able to enforce the observance of decrees, without which they would in effect signify little: because also commonly the decrees of Synods did in a manner retrench some part of the Royal Prerogative, translating or imparting to others causes before appropriate to his jurisdiction, (as in the case of Appeals, and of pro-

<sup>1</sup> Θέων δὲ καὶ σεβάσμων ὅρον η ἀγία Σύνοδος ἐξεβόησεν, φ καὶ πικεγράψαμεν, καὶ δι' εὐσεβῶν ἡμῶν ἡδίκτων τοῦτον ἐπεκυρώσαμεν, οιράψαντες ἀπαρτα τὸν φιλόχριστον ἡμῶν λαὸν τῇ ἐν αὐτοῖς ἐγγεγραμ-η πίστει συνέπεσθαι, &c.—Rescrip. Imp. ad Leon. II. [Bin. 298 D.] [Mans. col. 717 A.] Cf. Bin. p. 302 B. [Mans. col. 724 B.]

<sup>m</sup> Debes incunctanter advertere, regiam potestatem tibi non imm ad mundi regimen, sed maxime ad Ecclesie præsidium esse llatam, &c.—Leo M. Ep. clvi. [Opp. Tom. I. col. 1323.]

hibiting addresses to Court, ordered in the Sardican and other Synods; of exempting Clergymen from secular jurisdiction, from taxes and common burdens, &c.) which ought not to be done without his license and authority. So that the Oriental Bishops had good reason to tell the Emperor, *That it was impossible, without his authority, to order the matters under consideration with good law and order*<sup>n</sup>.

It is nowise reasonable that any other should have this power, it being inconsistent with public peace, that in one State there should be two legislative powers; which might clash the one with the other, the one enacting sanctions prejudicial to the interest and will of the other: wherefore the Pope being then a citizen of Rome, and a subject to the Emperor, could not have a legislative power, or a negative vote in Synods, but that wholly did belong to the imperial authority.

But it is opposed, that some Synods have been declared invalid for want of the Pope's confirmation; for to the decrees of the Synod at Ariminum it was excepted, that they were null, because the Bishop of Rome did not consent to them<sup>o</sup>: *There could not (say the Roman Synod in Theodoret) be any prejudice from the number of those assembled in Ariminum, it being plain, that neither the Roman Bishop, whose suffrage ought first to have been*

<sup>n</sup> Ἀδύνατον γάρ, ὡς ἡγούμεθα, δίχα τοῦ ὑμετέρου κράτους εἰπάσσεις καὶ ἐνθέσμως τὰ προκείμενα τυπωθῆναι.—Rel. Orient. ad Imp. Act. Syn. Eph. [Bin. Tom. II. p. 372 d.] [Mans. Conc. Tom. IV. col. 1374 c.]

<sup>o</sup> Τῶν ἐν Ἀριμίνῳ δοξάντων ὑπεναγτίων ταύτης ἀκύρων ὅπτων, οὐ μήτε τοῦ τῶν Ῥωμαίων ἐπισκόπου μήτε τῶν ἀλλων συνθεμένων αὐτῷ καὶ ὡς πολλῶν τῶν αὐτόθι συνελθόντων, ἀπαρεσθέντων τοῖς τότε περὶ αὐτῶν δεδογμένοις.—Soz. VI. 23.

ceived, nor Vicentius, who for so many years did  
ld his episcopacy blameless, nor others agreeing  
such things<sup>P</sup>. To which exception I answer,  
at

1 That which is alleged against the Synod  
Ariminum is not the defect of the Pope's  
affirmation subsequent, but of his consent and  
ncurrence before it, or in it<sup>q</sup>; which is very  
usonable, because he had a right to be present,  
d to concur in all such assemblies, especially  
ing so eminent a Bishop.

2 The same exception every Bishop might  
ege, all having a like right and common interest  
vote in those assemblies.

3 Accordingly the dissent of other Bishops,  
rticularly of those eminent in dignity or merit, is  
so alleged in exception; which had been needless,  
his alone dissent had been of so very peculiar  
rce.

4 The Emperor, and many other Bishops, did  
ot know of any peculiar necessity of his con-  
rmation.

Again, it may be objected, that Popes have  
oided the decrees of General Synods, as did Pope  
eo the decrees of the Synod of Chalcedon, con-  
erning the privileges of the Constantinopolitan  
ee, in these blunt words: *But the agreements of*

<sup>P</sup> Οὐδὲ γάρ πρόκριμά τι ηδυνήθη γενέσθαι ὑπὸ τοῦ ἀριθμοῦ τῶν ἐν  
μηνῷ συναχθέντων, διότε συνέστηκε, μήτε τῶν Ῥωμαίων ἐπισκόπου,  
τὸ τρίτον δέ τὴν γράμμην ἐκδέξασθαι, οὐτε Οὐκεντίου, διὸ ἐπὶ<sup>1</sup>  
κούντος ἔτεσι τὴν ἐπισκοπὴν ἀσπίλως ἐφύλαξεν, οὐτε τῶν ἄλλων τοῖς  
οὐπόταις συγκαταθεμένων.—Theodor. Eccl. Hist. II. 17. [Opp.  
m. II. p. 618 c.]

<sup>q</sup> P. Liberius being absent, detained from it by violence in  
ishment.

*Bishops repugnant to the holy Canons made at Nice, your faith and piety joining with us, we make void, and by the authority of the blessed Apostle St Peter, by a general determination we disannul<sup>t</sup>: and in his Epistle to those of that Synod: *For however vain conceit may arm itself with extorted compliances, and think its wilfulness sufficiently strengthened with the name of Councils: yet whatever is contrary to the Canons of the above-named Fathers will be weak and void<sup>u</sup>.* Lastly, in his Epistle to Maximus, Bishop of Antioch, he says: *He has such a reverence for the Nicene Canons, that he will not permit or endure that what those holy Fathers have determined be by any novelty violated<sup>v</sup>.**

This behaviour of Pope Leo (although applauded and imitated by some of his successors<sup>w</sup>) I doubt not to except against in behalf of the Synod, that it was disorderly, factious, and arrogant, (proceeding, indeed, from ambition and jealousy;) the leading act of high presumption in this kind, and one of the seeds of that exorbitant ambition, which did at length overwhelm the dignity and liberty of the

<sup>t</sup> *Consensiones vero Episcoporum, sanctorum Canonum apud Niciam conditorum regulis repugnantes, unita nobiscum vestra fidei pietate, in irritum mittimus, et per auctoritatem beati Petri Apostoli generali prorsus definitione cassamus.*—P. Leo I. Ep. *ct* (ad Pulcher. Aug.) [Opp. Tom. I. col. 1157.]

<sup>u</sup> *Quantumlibet enim extortis assentationibus sese instruat vanitatis elatio, et appetitus suos Conciliorum aestimet nomine robarados, infirmum atque irritum erit, quicquid a predictorum patrum Canonibus discreparit.*—Id. Ep. *cix.* (ad Syn. Chalced.) [col. 1197.]

<sup>v</sup> *Tanta apud me est Nicenorum Canonum reverentia, ut ea quae sunt a sanctis patribus constituta, nec permiserim, nec patiar aliqua novitate violari.*—Id. Ep. *cix.* (ad Max. Antioch.) [col. 1214.]

<sup>w</sup> *P. Gelas. I. Ep. *xiii.* (ad Episc. Dard.) Bin. Tom. *iii.* 622 et in ejusd. Tract. de Anathem. p. 647. P. Pelag. II. Ep. *v.* (ad Eliam.) apud Bin. Tom. *iv.* p. 474. Greg. M. Ep.*

Christian Republic; yet for somewhat qualifying the business it is observable, that he did ground his repugnancy and pretended annulling of that decree, (or of decrees concerning discipline,) not so much upon his authority to cross General Synods, but upon the inviolable firmness and everlasting obligation of the Nicene Canons; the which he although against the reason of things, and rules of government) did presume no Synod could abrogate or alter. In fine, this opposition of his did prove ineffectual by the sense and practice of the Church, maintaining its ground against his pretence.

It is an unreasonable thing, that the opinion or humour of one man (no wiser or better commonly than others) should be preferred before the common agreement of his brethren, being of the same office and order with him; so that he should be able to overthrow and frustrate the result of their meetings and consultations, when it did not square to his conceit or interest; especially seeing there is not the least appearance of any right he hath to such a privilege, grounded in Holy Scripture, tradition, or custom: for seeing that Scripture hath not a syllable about General Synods, seeing that no rule about them is extant in any of the first Fathers, till after three hundred years, seeing there was not such Council celebrated till after that time, being in none of the first General Synods any such Canon was framed in favour of that Bishop, what ground of right could the Pope have to prescribe unto them, or thwart their proceedings? or more reason there is, (in conformity to all former rules and practice,) that he should yield to

all his brethren, than that all his brethren should submit to him: and this we see to have been the judgment of the Church, declared by its practice in the cases before touched.

IV. It is, indeed, a proper endowment of an absolute sovereignty, immediately and immutably constituted by God, with no terms or rules limiting it, that its will declared in way of precept, proclamations, concerning the sanction of laws, the abrogation of them, the dispensation with them, should be observed. This privilege therefore in a high strain the Pope challengeth to himself; asserting to his decrees and sentences the force and obligation of laws; so that the body of that Canon Law, whereby he pretendeth to govern the Church, doth in greatest part consist of Papal Edicts, or Decretal Epistles, imitating the Rescripts of Emperors, and bearing the same force.

In Gratian we have these aphorisms from Popes concerning this their privilege.

*No person ought to have either the will or the power to transgress the precepts of the Apostolic See.*<sup>x</sup>

*— Those things which by the Apostolic See have at several times been written for the Catholic Faith, for sound doctrines, for the various and manifold exigency of the Church, and the manners of the faithful, how much rather ought they to be preferred in all honour, and by all men altogether, upon all occasions whatsoever to be reverently received!*

<sup>x</sup> Nulli fas est vel velle, vel posse transgredi Apostolice Sedis precepta.—P. Greg. IV. [c. ann. 828. Romæ] Dist. xxi. cap. 5. [Corp. Jur. Can. Tom. i. p. 24.]

<sup>y</sup> ——Quanto potius, quam ipsa (Sedes Apostolica) pro Catholicis Fide, profanis (i. pro sanis) dogmatibus, pro variis et multifariis

*Those decretal Epistles which most holy Popes have at divers times given out from the city of Rome, upon their being consulted with by divers Bishops, we decree that they be received with veneration<sup>a</sup>.*

*If ye have not the decrees of the Bishops of Rome, ye are to be accused of neglect and carelessness; but if ye have them, yet observe them not, ye are to be children and rebuked for your temerity<sup>a</sup>.*

*All the sanctions of the Apostolic See are so to be understood, as if confirmed by the voice of St Peter himself<sup>b</sup>.*

*Because the Roman Church, over which by the will of Christ we do preside, is proposed for a mirror and example; whatsoever it doth determine, whatsoever that doth appoint, is perpetually and irrefragably to be observed by all men<sup>c</sup>.*

Ecclesie necessitatibus et fidelium moribus diverso tempore scriptis; omni debent honore præferri, et ab omnibus prorsus in quibuslibet opportunitatibus, discretione, vel dispensatione magistra reverenter assumi?—P. Nic. I. Epist. [ann. 865] Dist. xix. cap. I. [Ibid. p. 23.]

<sup>a</sup> Decretales Epistolas, quas beatissimi Papæ diversis temporibus ab urbe Roma pro diversorum Patrum consultatione dederunt, venerabiliter suscipiendas decernimus.—P. Gelas. I. apud P. Nic. I. Ep. ad Episc. Galliæ. Dist. xix. cap. I. [Ibid. p. 24.]

<sup>a</sup> Si Decreta Romanorum Pontificum non habetis, de neglectu atque incuria estis arguendi; si vero habetis et non observatis, de temeritate estis corripiendi et increpandi.—P. Nic. I. Ep. vi. ad Phot. Dist. xx. cap. 2. [Ibid. p. 26.]

<sup>b</sup> Sic omnes Apostolice Sedis sanctiones accipiendas sunt, tandem ipsius divini Petri voco firmatae sunt.—P. Agatho. [ann. 688.] Dist. xix. cap. 2. [Ibid. p. 24.] Vid. Syn. vi. Act. iv. (P. Agath. Ep. d. Imp.) apud Bin. Tom. v. p. 25, b, c.

<sup>c</sup> Quia in speculum, et exemplum S. Romana Ecclesia, cui nos Christus præesse voluit, proposita est; ab omnibus quicquid statuit, nesciis ordinat, perpetuo et irrefragabiliter observandum est.—P. Steph. [ann. 888.] Dist. xix. cap. 4. [Ibid. p. 24.] Cf. P. Gelas. I. Ep. ix. De Dispens. [Bin. Tom. iii. p. 633.]

*We who according to the plenitude of our power have a right to dispense above law or right<sup>d</sup>.*

*This See—that which it might do by its own sole authority, it is often pleased to define by consent of its Priests<sup>e</sup>.*

But this power he doth assume and exercise merely upon usurpation, and unwarrantably; having no ground for it in original right or ancient practice. Originally the Church hath no other general Lawgiver, beside our one Lord and one Lawgiver.

As to practice we may observe,

i Anciently (before the First General Synod) the Church had no other Laws beside the Divine Laws; or those which were derived from the Apostles by traditional custom<sup>f</sup>; or those which each Church did enact for itself in provincial Synods; or which were propagated from one Church to another by imitation and compliance; or which in like manner were framed and settled. Whence, according to different traditions, or different reasons and circumstances of things, several Churches did vary in points of order and discipline.

<sup>d</sup> Qui secundum plenitudinem potestatis, de jure possumus supra jus dispensare.—P. Inn. III. [c. ann. 1210.] Decret. Greg. IX. Lib. III. Tit. viii. cap. 4. [Corp. Jur. Can. Tom. II. p. 146.]

<sup>e</sup> Sedes haec—quod singulari etiam auctoritate perficere vult, multorum saepe sacerdotum decernit definire consensu.—P. Nic. I. Ep. xviii. (ad Carolum R.) [Bin. Tom. vi. p. 547, c. 1 b.] [Mans. Conc. Tom. xv. col. 278 e.] Cf. P. Leo I. Ep. iv. cap. 5. [Opp. Tom. i. p. 616.] P. Hilar. in Conc. Rom. [ann. 465.] Bin. Tom. III. [p. 578 d.] Grat. Caus. xxv. Qu. i. cap. 4. [Corp. Jur. Can. Tom. i. p. 345.] P. Urb. [forte c. ann. 1090.] Caus. xxv. Qu. i. cap. 6. [Ibid.] P. Anast. II. ad Imp. Anast. Bin. Tom. III. [p. 670, c. 1 a, b, c.] P. Siric. Ep. i. [Bin. Tom. I. p. 691, c. 2 a, b, c.]

Tὰ ἀρχαῖα ἔθη.—Conc. Nic. Can. vi. [Bin. Tom. i. p. 342 a.] [Mans. Conc. Tom. II. col. 669 e.]

The Pope then could not impose his traditions, laws, or customs upon any Church; if he did attempt it, he was liable to suffer a repulse; as is notorious in the case, when Pope Victor would (although rather as a doctor than as a lawgiver) have reduced the Churches of Asia to conform with the Roman, in the time of celebrating Easter; wherein he found not only stout resistance, but sharp reproof.

In St Cyprian's time every Bishop had a free power, according to his discretion to govern his Church; and it was deemed a tyrannical enterprise for one to prescribe to another, or to require obedience from his colleagues; as elsewhere by many clear allegations out of that holy man we have hewed: *For none of us, saith he, makes himself Bishop of Bishops, or by a tyrannical terror compels his colleagues to a necessity of obedience; since every Bishop, according to the license of his own liberty and power, hath his own freedom, and can no more be judged by another, than he himself can judge another*<sup>8</sup>.

If any new law were then introduced, or rule determined for common practice, it was done by the general agreement of Bishops, or of a preponderant multitude among them, to whom the rest out of modesty and peaceableness did yield compliance; according to that saying of the Roman Clergy to St Cyprian, (upon occasion of the debate concerning

<sup>8</sup> *Neque enim quisquam nostrum Episcopum se esse Episcoporum constituit, aut tyrannico terrore ad obsequendi necessitatem collegas suos adigit; quando habeat omnis Episcopus pro licentia libertatis et potestatis sua arbitrium proprium; tamque judicari ibi alio non possit, quam nec ipse potest alterum judicare.*—*Cyprian. Conc. Carthag. [Opp. p. 329.]*

the manner of admitting lapsed persons to communion: *) That decree cannot be valid, that hath not the consent of the major part<sup>h</sup>.*

The whole validity of such laws or rules did, indeed, wholly stand upon presumption of such consent; whereby the common liberty and interest was secured.

2 After that by the Emperor's conversion the Church, enjoying secular protection and encouragement, did reduce itself, as into a closer union and freer communication of parts, so into a greater uniformity of practice; especially by means of great Synods, wherein (the governors and representatives of all Churches being called unto them, and presumed to concur in them) were ordained sanctions, taken to oblige all<sup>i</sup>; the Pope had, indeed, a greater stroke than formerly, as having the first place in order, or privilege of honour<sup>k</sup>, in ecclesiastical assemblies, where he did concur; yet had no casting vote, or real advantage above others: all things passing by majority of vote: this is supposed as notorious in the acts of the Fifth Council: *This, say they, is a thing to be granted, that in Councils we must not regard the interlocution of one or two, but those things which are commonly defined by all, or by the most<sup>l</sup>.* So also in the Sixth Council,

<sup>h</sup> Quoniam nec firmum decretum potest esse, quod non plurimorum videbitur habuisse consensum.—Cler. Rom. ad Cyp. Epist. xxxi. [Opp. p. 44.]

<sup>i</sup> Idem enim omnes credimus operati, in quo deprehendimus eadem omnes censuræ et disciplinæ consensione sociati.—Ibid. [Opp. p. 42.]

<sup>k</sup> Πρωτεῖα τιμῆς.

<sup>l</sup> Illo certe constituto, quod in Conciliis non unius vel secundi interlocutionem attendere oportet, sed haec quæ communiter ab

George, Bishop of Constantinople, saith, that *Seeing everywhere the Council of the multitude, or of the most, doth prevail, it is necessary to anathematize the persons before mentioned*<sup>m</sup>.

3 Metropolitan Bishops in their provinces had far more power, and more surely grounded, than the Pope had in the whole Church, (for the metropolitans had an unquestioned authority, settled by custom, and confirmed by Synodical decrees,) yet had not they a negative voice in Synodical debates: for it is decreed to the Nicene Synod, that in the designation of Bishops, (which was the principal affair in ecclesiastical administrations) plurality of votes should prevail<sup>n</sup>.

It is, indeed, there said, that none should be ordained *Without the opinion of the Metropolitan*<sup>o</sup>: but that doth not import a negative voice in him, but that the transaction should not pass in his absence, or without his knowledge, advice, and suffrage; for so the Apostolical Canon (to which the Nicene Fathers there did allude and refer, meaning to interpret it) doth appoint, that the Metropolitan should do nothing without the opinion of all<sup>p</sup>, that is, without suffrage of the most, concluding all; (for surely that Canon doth not give to each one a negative voice). And so the Synod of Antioch

omnibus vel amplioribus definiuntur.—Conc. Quint. Coll. vi. [Bin. Tom. iv. p. 263 b.]

<sup>m</sup> Ἐπειδὴ τοῦ πλήθους, ἵτοι τῶν πολλῶν πανταχοῦ ἡ βουλὴ κρατεῖ, ἀναγκαῖον ἔστιν ὀνομαστὶ τὰ λεχθέντα πρόσωπα ἀναθεματισθῆναι.—Syn. vi. Act. xvi. [Bin. Tom. v. p. 249 f.]

<sup>n</sup> Κρατείτω ἡ τῶν πλειόνων ψῆφος.—Conc. Nic. Can. vi. [Bin. Tom. i. p. 342.] [Mans. Conc. Tom. ii. col. 672 A.]

<sup>o</sup> Χωρὶς γράμμης τοῦ μητροπολίτου.—Ibid.

<sup>p</sup> Ἄλλὰ μηδὲ ἐκεῖνος ἀνευ τῆς πάντων γράμμης ποιείτω τι.—Apost. Can. xxxiii. [Bin. Tom. i. p. 10.] [Mans. Conc. Tom. i. col. 36 c.]

(held soon after that of Nice, which therefore knew best the sense of the Nicene Fathers, and how the custom went) doth interpret it, decreeing, *That a Bishop should not be ordained without a Synod, and the presence of the Metropolitan of the province*<sup>q</sup>; in which Synod yet they determine, that plurality of votes should carry it<sup>r</sup>; no peculiar advantage in the case being granted to the Metropolitan.

Seeing therefore Provincial Synods were more ancient than General, and gave pattern to them; if we did grant the same privilege to the Pope in General Synods, as the Metropolitans had in Provincial, (which yet we cannot do with any good reason or ground,) yet could not the Pope thence pretend to an authority of making laws by himself.

4 It was then a passable opinion, that he, as one, was in reason obliged to yield to the common judgment of his colleagues and brethren; as the Emperor Constantius told Pope Liberius, that *The vote of the plurality of Bishops ought to prevail*<sup>s</sup>.

5 When Pope Julius did seem to cross a rule of the Church, by communicating with persons condemned by Synods, the Fathers of Antioch did smartly recriminate against him,

<sup>q</sup> Ἐπίσκοπον μὴ χειροτονεῖσθαι δίχα συνόδου, καὶ παρονοίας τοῦ ἡ μητροπόλει τῆς ἑπαρχίας.—Syn. Ant. Can. xix. [Bin. Tom. p. 511.] [Mans. Conc. Tom. II. 1316 c.]

<sup>r</sup> —κρατεῖν τὴν τῶν πλειόνων ψῆφον.—[Bin. p. 511.] [Mans. col. 1316 d.]

Κρατεῖτο δὲ τῶν πλειόνων ψῆφος.—Syn. Nic. Can. vi. [Mans. Conc. Tom. II. col. 672 A.]

<sup>s</sup> Τῶν γὰρ πλειόνων ἐπισκόπων δὲ ψῆφος ισχύειν διεθέλει.—Theodor. Eccl. Hist. II. 13. [Opp. Tom. III. p. 608 d.]

shewing that they were not to receive Canons from him<sup>t</sup>.

6 So far was the Pope from prescribing laws to others, that he was looked upon as subject to the laws of the Church no less than others; as the Antiochene Fathers did suppose, complaining to Pope Julius of his transgressing the Canons<sup>u</sup>: the which charge he doth not repel by pretending exemption, but by declaring that he had not offended against the Canons, and retorting the accusation against themselves<sup>x</sup>; as the African Fathers supposed, when they told Pope Celestine<sup>y</sup>, that he could not admit persons to communion, which had been excommunicated by them, that being contrary to a decree of the Nicene Synod; as the Roman Church supposed itself, when it told Marcian, that they could not receive him without leave of his father who had rejected him<sup>z</sup>. This the whole tenor of Ecclesiastical Canons sheweth, they running in a general style, never excepting the Pope from the laws prescribed to other Bishops.

7 The privilege of dispensing with laws had then been a strange hearing, when the Pope could

<sup>t</sup> Γράμμη κοινῆ σφρόρτερον δι' ἐπιστολῆς ἀντεγκαλοῦσι τῷ Ἰουλίῳ, Βηλούντες μὴ δεῖν κανονίζεσθαι παρ' αὐτοῦ.—Socr. II. 15.

<sup>u</sup> Ὅμεις ὁις παρὰ κανόνας ποιήσαντας ἡμᾶς ἐμέμψασθε——.—P. Julii Epist. apud Athan. in Apol. con. Arian. [Opp. Tom. I. p. 148 E.]

<sup>x</sup> Σκοπεῖτε τοῖνυν, τίνες εἰσὶν οἱ παρὰ κανόνας πράξαντες, ἡμεῖς δὲ μετὰ τοσούτων ἀποδείξεων τὸν ἄνδρα δεξάμενοι, ή οι, &c.—Ibid.

<sup>y</sup> Μηδὲ τοὺς παρ' ἡμῶν ἀποκοινωνήτους, εἰς κοινωνίαν τοῦ λοιποῦ Θελήσητε δέξασθαι ἐπειδὴ τοῦτο καὶ τῇ ἐν Νικαίᾳ συνόδῳ δρισθὲν εὐχεράς εἴροι ή σῇ σεβασμότης.—Epist. Conc. Afric. ad P. Celest. I. [Bin. Tom. I. p. 980 A.] [Mans. Conc. Tom. IV. col. 515 E.]

<sup>z</sup> Οὐ δυνάμεθα ἀνευ τῆς ἐπιτροπῆς τοῦ τυμίου πατρός σου τοῦτο ποιῆσαι.—Epiph. Hæg. xlii. [Tom. I. p. 303 C.]

in no case dispense with himself for infringing them, without bringing clamour and censure upon him<sup>a</sup>.

8 It had, indeed, been a vain thing for Synods with so much trouble and solemnity to assemble, if the Pope without them could have framed laws, or could with a puff of his mouth have blown away the results of them by dispensation.

9 Even in the growth of Papal dominion, and after that the seeds of Roman ambition had sprouted forth to a great bulk, yet had not Popes the heart or face openly to challenge power over the universal Canons, or exemption from them<sup>b</sup>; but pretended to be the chief observers, guardians, defenders, and executors of them; or of the rights and privileges of Churches established by them: for while any footsteps of ancient liberty, simplicity, and integrity did remain, a claim of paramount or lawless authority would have been very ridiculous and very odious. Pope Zosimus I.<sup>c</sup> denieth that he could alter the privileges of Churches.

<sup>a</sup> It was then a maxim becoming the mouth of a Pope: *Universæ pacis tranquillitas non aliter poterit custodiri, nisi sua Canonibus reverentia intemerata servetur.* —P. Leo I. Ep. cxix. [Opp. Tom. I. col. 1217.] *The tranquillity of an universal peace cannot otherwise be kept, unless due reverence be paid to the Canons.*

<sup>b</sup> P. Hil. Ep. II. [Bin. Tom. III. p. 371.] P. Innoc. I. Epp. II. XII. [Bin. Tom. I. p. 753, 759.] P. Hilar. Ep. IV. [Bin. Tom. III. p. 371.] P. Gelas. I. Ep. IX. [Bin. Tom. III. p. 634.] Ep. XIII. [Ibid. p. 639.] Ejus. Tract. de Anath. Ibid. p. 645.

<sup>c</sup> P. Zosimus I. Ep. VII. (ad Episc. Vienn. et Narb.) [Bin. Tom. I. p. 886.] [—— quod contra statuta Patrum, et sancti Trophimi reverentiam, qui primus Metropolitanus Arelatensis civitatis ex hac sede directus est, concedere vel mutare ne hujus quidem Sedis possit auctoritas. —Mans, Conc. Tom. IV. col. 364 A.]

Cf. Grat. Caus. xxv. Qu. I. cap. 7. [Corp. Jur. Can. Tom. I. p. 346. *Contra statuta Patrum condere aliquid, vel mutare nec hujus quidem Sedis potest auctoritas.*]

10 If they did talk more highly, requiring  
ervance to their constitutions, it was either in  
ir own precinct, or in the provinces where they  
l a more immediate jurisdiction, or in some  
ners of the West, where they had obtained  
re sway<sup>d</sup>; and in some cases, wherein their  
rds were backed with other inducements to  
dience; for the Popes were commonly wise in  
ir generations, accommodating their discourse  
the state of times and places.

11 It is also to be observed, that often the  
popes are supposed to speak and constitute things  
their own authority, which, indeed, were done  
Synods, consisting of Western Bishops more  
sely adhering to that See, in regard to those  
gions<sup>e</sup>; the decrees of which Synods were bind-  
g in those places, not so much by virtue of  
pal authority, as proceeding from the consent  
their own Bishops: how ready soever he were  
assume all to himself, pretending those decrees  
precepts of the Apostolical See.

<sup>d</sup> P. Siric. Ep. I. [Bin. Tom. I. p. 691, c. 2 A, B.] [Mans. Conc. m. III. col. 661 c.] Leo M. Ep. IV. cap. 5. [Opp. Tom. I. p. 616.] Gelas. Ep. IX. [Bin. Tom. III. p. 633 et seqq.]

<sup>e</sup> P. Siric. Ep. IV. [Bin. Tom. I. p. 694, c. 2 c.] [Mans. Conc. m. I. col. 669 c.] Quum in unum plurimi fratres convenissemus  
S. Apostoli Petri reliquias, etc.]

Ἄναστα η κατὰ τὴν δύσιν ἀγία σύνοδος.—Conc. Eph. [Bin. Tom. II. 332 p.]

Ἀγαθὸς ἐπίσκοπος — σὺν πάσαις ταῖς συνόδοις ταῖς ἀνηκούσαις  
συνέδε τὸν ἀποστολικὸν θρόνον.—Conc. VI. Act. VI. [Bin. Tom. V. 80 B.]

N. The Pope in these Councils did ask the placets.—P. Hil. Conc. Rom. [Bin. Tom. III. p. 578. Hilarius Episcopus Ecclesiae  
tholice, urbis Romæ, Synodo presidens dixit: Quoniam reli-  
sus, Sancto Spiritu congregante, conventus hortatur, ut quæ-  
que pro disciplina Ecclesiastica necessaria sunt, cura diligen-  
re tractemus: si placet, fratres, etc. Cf. § 5. c. 2 c.]

Whence all the acts of modern Popes are invalid, and do not oblige, seeing they do not act in Synod; but only of their own head, or with the advice of a few partisans about them, men linked in common interest with them to domineer over the Church.

12 Yet even in the Western countries, in later times, their decrees have been contested, when they did seem plainly to clash with the old Canons, or much to derogate from the liberties of Churches; nor have there wanted learned persons in most times, who, so far as they durst, have expressed their dislike of this usurpation.

*For although the Bishop of Rome be more venerable than the rest that are in the world, upon account of the dignity of the Apostolical See, yet it is not lawful for him in any case to transgress the order of canonical governance: for as every Bishop who is of the orthodox Church, and the Spouse of his own See, doth entirely represent the person of our Saviour; so generally no Bishop ought pragmatically to act any thing in another's diocese!*

13 In the times of Pope Nicholas I. the Greeks did not admit the Roman Decrees; so that Pope in an Epistle to Photius<sup>g</sup> complains, *That he did not receive the decrees of the Popes, wheras yet they ordained nothing but what the natural,*

<sup>1</sup> *Licet namque Pontifex Romana Ecclesia ob dignitatem Apostolicae Sedis ceteris in orbe constitutis reverentior habeatur, non tamen ei licet transgredi in aliquo Canonici moderaminis tenorem. Sicut enim unusquisque orthodoxa Ecclesia Pontifex ac Sponsus propriæ Sedis uniformiter speciem gerit Salvatoris: ita generaliter nulli convenit quipiam in alterius procaciter patrare Episcopi dioecesi.—Glab. Rodulph. Hist. Lib. II. cap. 2, apud Baron. Annal. Eccl. ann. 996. [§ 24. Tom. XVI. p. 352.]*

<sup>g</sup> Circa ann. 860.

*what the Mosaical, and what the law of grace required<sup>b</sup>.* And in another Epistle he expostulates with him for saying, that *They neither had nor did observe the Decrees made by the holy Popes of the prime See of the Roman Church<sup>i</sup>.*

14 That which greatly did advance the Papal jurisdiction, and introduced his usurpation of obtruding new Decrees on the Church, was the venting of the forged Decretal Epistles under the name of old Popes; which when the Pope did allege for authorizing his practices, the French Bishops, endeavouring to assert their privileges, did allege that they were not contained in the whole body of their Canons<sup>k</sup>.

15 The power of enacting and dispensing with Ecclesiastical Laws, touching exterior discipline, did of old belong to the Emperor. And it was reasonable that it should; because old laws might not conveniently suit with the present state of things and the public welfare; because new laws might conduce to the good of Church and State, the care of which is incumbent on him; because the Prince is bound to use his power and authority to promote God's service, the best way of

<sup>b</sup> *Noli, quia Decreta ipsorum non suscepere amplius asseverare; ut ipsi nihil nisi quod Naturalis, quod Mosaica, necnon et Gratia Lex jussit, instituant.*—P. Nic. I. Ep. xi. (ad Phot.) [Bin. Tom. vi. 539, c. 1 B.] [Mans. Conc. Tom. xv. col. 263 B.]

<sup>i</sup> *Decretalia autem, quae a sanctis Pontificibus primis Sedis romane Ecclesiae sunt instituta,—cur vos non habere vel obserire dicitis?*—Id. Ep. vi. (ad Eund.) [Bin. p. 494, c. 2 B.] [Mans. l. 176 B.]

<sup>k</sup> *Quanquam quidam vestrum scripserint haud illa Decretalia riscorum Pontificum in toto Codicis Canonum corpore contineri scripta, &c.*—Id. Ep. xlii. (ad Galliæ Episc.) [Bin. p. 570, c. 1.] [Mans. col. 695 A.]

doing which may be by framing orders conducible thereto. Accordingly the Emperors did enact divers laws concerning Ecclesiastical matters, which we see extant in the Codes of Theodosius and Justinian.

*These things, saith the Council of Arles, we have decreed to be presented to our Lord the Emperor, desiring his clemency, that if any thing be defective, it may be supplied by his prudence; if any thing be unreasonable, it may be corrected by his judgment; if any thing be reasonably ordered, it may by his help, the Divine grace assisting, be perfected<sup>1</sup>.*

We may observe, that Popes did allow the validity of Imperial Laws. Pope Gregory I.<sup>m</sup> doth allege divers Laws of divers Emperors concerning Ecclesiastical affairs, as authentic and obligatory rules of practice.

16 Divers Churches had particular rights of independency upon all power without themselves. Such as the Church of Cyprus in the Ephesine Synod did claim and obtain the confirmation of. Such was the ancient Church of Britain before Austin came into England. *The Welsh Bishops are consecrated by the Bishop of St David's, and he himself in like manner is ordained by others, who are, as it were, his suffragans, professing no manner of subjection to any other Church<sup>n</sup>.*

<sup>1</sup> *Hæc—domino Imperatori præsentanda decrevimus, poscen-  
tes ejus clementiam, ut siquid hic minus est, ejus prudentia sup-  
pleatur; si quid secus quam se ratio habet, ejus judicio emende-  
tur; si quid rationabiliter taxatum est, ejus adjutorio, divina  
opitulante clementia, perficiatur.—Conc. Arel. vi. cap. 26, ann. 813.  
(Leon. III. Imp. Carolo M.) [Bin. Tom. vi. p. 214.] [Mans. Conc.  
Tom. xiv. col. 62 e.]*

<sup>m</sup> *Ep. XIII. 45. [Opp. Tom. II. coll. 1252 et seqq.]*

<sup>n</sup> *Episcopi Wallie a Menevensi antistite sunt consecrati, et  
ipse similiter ab aliis tanquam suffraganeis est constitutus, nulla*

V. Sovereign power, immediately by itself, when it pleaseth, doth exercise all parts of jurisdiction, setting itself in the tribunal; or mediately oth execute it by others, as its officers or commissioners.

Wherefore now the Pope doth claim and exercise Universal Jurisdiction over all the Clergy<sup>o</sup>; requiring of them engagements of strict submission nd obedience to him; demanding that all causes of reight be referred to him; citing them to his bar, xamining and deciding their causes; condemning, suspending, deposing, censuring them, or acquitting, absolving, restoring them, as he seeth cause, or findeth in his heart; he doth encourage people o accuse their pastors to him, in case any doth nfringe his laws and orders.

mitus alii Ecclesiae facta professione vel subjectione.—Girald. Lambr. Itin. II. 1.

\* Bell. de S. Pont. II. 18, 26. [18. § 1. Argumentum vi. sumitur ex auctoritate quam semper exercuerunt veteres Pontifices in Episcopos ceteros. Siquidem legimus a Pontificibus Romanis Episcopos in toto orbe institutos vel depositos, vel restitutos: quorum legula per se sufficerent ad hunc Primum ostendendum.—26. 1. Argumentum x. sumitur ex eo quod Romanus Pontifex a nemine in terris judicari potest. Non enim potest evidentius ostendti principatus ejus, quam si ostendatur ita omnibus Praelatus, t nemini sit subjectua.]

Ab ipse (Sede Romana) vero nusquam prorsus appellari debet, sanxerunt; ac per hoc illam de tota Ecclesia judicare.—Gelas. I. Epist. IV. [Bin. Tom. III. p. 625 c.] [Mans. Conc. om. VIII. col. 17 d.]

Hujus culpas istic redarguere praesumit mortalium nullus; quia metos ipse judicaturus a nemine est judicandus.—Grat. Dist. XL. tp. 6. [Corp. Jur. Can. Tom. I. p. 53.] Cf. Grat. Caus. II. Qu. 7. tp. 45, &c. [Ibid. p. 173.]

Sacra statuta et veneranda decreta Episcoporum causas, utpote ajora negotia nostræ definiendas censuræ mandarunt.—P. Nic. I. p. xxxviii. [Bin. Tom. VI. p. 566. c. 1 B.] [Mans. Conc. Tom. XV. p. 687 A.]

But (in general) that originally or anciently the Pope had no such right appropriate to him may appear by arguments, by cross instances, by the insufficiency of all pleas, and examples alleged in favour of this claim. For,

i Originally there was not at all among Christians any jurisdiction like to that which is exercised in civil governments, and which now the Papal court doth execute. For this our Saviour did prohibit, and St Peter forbad the Presbyters

<sup>1 Pet. v. 3.</sup> κατακυριεύειν τῶν κλήρων. And St Chrysostom affirmeth the Episcopal power not to be *auθερία*, or *άρχη*<sup>p</sup>. And Ecclesiastical history doth inform us, that such a jurisdiction was lately introduced in the Church, as by other great Bishops, so especially by the Bishop of Rome: *For, saith Socrates, from that time the Episcopacy of Alexandria, beyond the sacerdotal order, did assume a domineering power in affairs*<sup>q</sup>. The which kind of power the Roman Bishops had long before assumed; for, saith he, *The Episcopacy of Roma, in like manner as that of Alexandria, had already a great while ago gone before in a domineering power beyond that of the priesthood*<sup>r</sup>.

At first the Episcopal power did only consist in paternal admonition, and correption of offenders, exhorting and persuading them to amendment; and

<sup>p</sup> Chrys. in 1 Tim. iii. 1. [Opp. Tom. iv. p. 285.] in Eph. Ort. xi. [Tom. iii. p. 823.] Hier. Ep. xxxv. [Opp. Tom. iv. Pars ii. col. 273. Ep. xxxix. Ibid. col. 335.] Isid. Pelus. Ep. Lib. II. 12. [Opp. p. 176 d.] Ep. Lib. iv. 219. [Opp. p. 544 b.]

<sup>q</sup> Καὶ γὰρ ἔξ ἔκεινου, οὐ ἐπισκοπὴ Ἀλεξανδρεῖας πέρα τῆς ἱερουπότητος τάξεως καταδυναστεύειν τῶν πραγμάτων ἔλαβε τὴν ἀρχὴν.—SOCR. VII. 7.

<sup>r</sup> ——— τῆς Ῥωμαίων ἐπισκοπῆς δμοίως τῇ Ἀλεξανδρίᾳ πέρα τῆς ἱερωσύνης, ἐπὶ δυναστείαν ἥδη πάλαι προελθούσης.—SOCR. VII. 11.

n case they contumaciously did persist in disorderly <sup>1 Cor. v.</sup> behaviour, bringing them before the congregation; <sup>4, 12.</sup> and the cause being there heard and proved, with its consent imposing such penance or correction on them as seemed needful for the public good, or their particular benefit: *All things, saith St Cyprian, shall be examined, you being present and judging*<sup>1</sup>; and, (elsewhere,) according to your divine suffrages; according to your pleasure<sup>2</sup>.

2 Originally no one Bishop had any jurisdiction over another, or authority to judge his actions; as St Cyprian (who well knew the current judgment and practice of his age) in many places doth affirm; who particularly doth reflect on the Roman Bishop for presuming to censure his brethren, who dissented from him: *Let us all, saith he, expect the judgment of our Lord Jesus Christ, who only hath power to prefer us to the government of his Church, and to judge of what we do*<sup>3</sup>.

3 Even the community of Bishops did not otherwise take notice of, or intermeddle with, the proceedings of any Bishop in his precinct and charge; except when his demeanour did concern

<sup>1</sup> Examinabuntur singula praesentibus, et judicantibus vobis.—*Cypr. Ep. xi. (Fratribus in plebe.)* [Opp. p. 21.]

<sup>2</sup> Secundum vestra et divina suffragia. Secundum arbitrium quoque vestrum.—*Ep. xl.* [Opp. pp. 52, 53.]

Cf. P. Cornel. apud Cypr. Ep. xlvi. [Opp. p. 60. Adfuerunt tamen Episcopi quinque, qui et hodie praesentes fuerunt, ut firmato consilio quid circa personam eorum observari deberet consensu omnium statueretur, &c.]

Ibidem etiam exhortationes, castigationes et censura divina.—*Certull. Apol. xxxix.* [Opp. p. 31 A.]

<sup>3</sup> Expectemus universi judicium Domini nostri Jesu Christi, si unus et solus habet potestatem et preponendi nos in Ecclesiae gubernatione et de actu nostro judicandi.—*Cypr. in Conc. arth.* [Opp. p. 330.]

the general state of the Church, intrenching upon the common faith, or public order and peace.

In other cases, for one or more Bishops to meddle with the proceedings of their brother, was taken for an *ἀλλοτριοεπισκοπία*, a pragmatical intrusion upon another's business; and an invasion of that liberty which did belong to each Bishop by the grant of our Lord, and the nature of his office: as by those passages of St Cyprian, and the declaration of the Synod with him, doth appear.

4 In cases needing decision for the public good of the Church, the law and custom of the Church, confirmed by the Nicene Synod\*, did order, that jurisdiction should be exercised, and all causes finally determined in each province; so that no regard is had to the Pope, no exception in favour of him being expressed or implied. The which constitution, if we believe Pope Leo himself, cannot in any case by any power be revoked or infringed. That is most expressly confirmed by the Synod of Antioch, in the Code of the Universal Church: *If any Bishop accused of certain crimes shall be condemned by all the Bishops in the province, and all shall unanimously vote against him, he shall not be judged again by others; but the unanimous sentence of the Bishops of the province*

\* Conc. Nic. Can. v. [Bin. Tom. I. p. 341.] [Mans. Tom. II. col. 669 c. "Ινα οὖν τοῦτο τὴν πρέπονσαν ἐξέτασιν λαμβάνῃ, τὰς ἔχειν ἔδοξεν, ἐκάστου ἐνιαυτοῦ καθ' ἐκάστην ἐπαρχίαν δἰς τοῦ ἓπα συνόδους γίνεσθαι.]

In venerabilis Concilii Niceni contumelia ssepe versatus, alienarum tibi provinciarum jura temerarie vendicasti.—P. Felix Acacio, apud Baron. Annal. Eccles. Anno 484. sect. 17. [Tom. VIII. p. 446, c. 2.]

*hall remain valid*<sup>1</sup>. Here is no consideration or exception of the Pope.

5 Accordingly in practice, Synods, without regard or recourse to the Pope, did judge Bishops upon offences charged against them.

6 The execution of those judgments was intrusted to Metropolitan Bishops; or had effect by the people's consent; for it being declared that any Bishop had incurred condemnation, the people did presently desert him. Every Bishop was obliged to confer his part to the execution; as Pope Gelasius affirmeth<sup>2</sup>.

7 If the Pope had such judicial power, seeing there were from the beginning so many occasions of exercising it, there would have been extant in History many clear instances of it; but few can be alleged, and those (as we shall see) impertinent or insufficient.

8 Divers Synods (great and smaller) did make sanctions contrary to this pretence of the Pope; appointing the decision of causes to be terminated in each diocese, and prohibiting appeals to him; which they would not have done, if the Pope had originally, or according to Common Law and custom, a supreme judicial power.

<sup>1</sup> Εἴτις ἐπίσκοπος ἐπὶ τισιν ἀγκλήμασι κατηγορηθεὶς, κριθεὶς ὑπὸ πότων τῶν ἐν τῇ ἐπαρχίᾳ ἐπισκόπων, πάντες τε σύμφωνοι μίαν κατ' ἄλιον ἐξενέγκοντες ψῆφον· τοῦτο μηκέτι παρ' ἐτέροις δικάζεσθαι, ἀλλὰ ἄποιν βεβαίαν τὴν σύμφωνον τῶν ἐπὶ τῆς ἐπαρχίας ἐπισκόπων ἀπόφασιν.  
—Syn. Ant. Can. xv. [Bin. Tom. i. p. 510.] [Mans. Conc. Tom. ii. 313 ε.]

<sup>2</sup> Quod non solum præsuli Apostolico facere licet, sed cuicunque pontifici, ut quoslibet et quemlibet locum, secundum regulam haec nos ipsius ante damnatae, a Catholica communione discernant.—Gelas. I. Ep. iv. [Bin. Tom. iii. p. 625 b.] [Mans. Conc. Tom. viii. l. 17 c.]

9 The most favourable of ancient Synods to Papal interest, that of Sardica, did confer on the Pope a power, qualified in matter and manner, of causing Episcopal causes to be revised; which sheweth that before he had no right in such cases, nor then had an absolute power.

10 The Pope's power of judging Bishops hath been of old disclaimed as an illegal and upstart encroachment.

When the Pope first nibbled at this bait of ambition, St Cyprian and his Bishops did reprehend him for it. The Bishop of Constantinople denied that Pope Gelasius alone might condemn him, according to the Canons—the Pope ranteth at it, and reasoneth against it<sup>a</sup>; but hath no material argument or example for it, (concerning the Papal authority peculiarly,) beside the Sardican Canon.

11 The Popes themselves have been judges for misdemeanour, heresy, schism; as hereafter shall shew.

12 The Popes did execute some judgment, only by a right common to all Bishops, as executors of Synodical decrees<sup>b</sup>.

13 Other Bishops did pretend to judicature, by privilege: as Juvenalis, Bishop of Jerusalem, did pretend that to him did belong the judgment of the Bishop of Antioch<sup>c</sup>.

<sup>a</sup> Euphemium vero miror, si ignorantiam suam ipse non perpedit, qui dicit Acacium ab uno non posse damnari. — P. Gelas. I. Ep. iv. [Bin. Tom. iii. p. 624 r.] [Mans. Conc. Tom. viii. col. 17 r.]

Nobis opponunt Canones. — [Bin. 625 b.] [Mans. col. 17 d.]

<sup>b</sup> Quod non solum præsuli Apostolico facere licet, &c. — P. Gelas. I. Ep. iv. (Supr. in Arg. vi.) Vid. Epist. xiiii.

<sup>c</sup> Ἐχρῆν Ἰωάννην — τῷ ἀποστολικῷ τῆς Ἱεροσολύμων ἀγίας τῷ

14 The Popes were subject to the Emperors; who, when they pleased, did interpose to direct & qualify all jurisdiction<sup>d</sup>; commanding the Popes themselves—wherefore the Popes were not judges sovereign, but subordinate.

Pope Gregory I. did refer the great question bout the title of oecumenical Bishop to the judgment of the Emperor Mauricius<sup>e</sup>.

These things will more fully appear in the liscussion of the particulars concerning the chief branches of jurisdiction; more especially under the tenth branch of Sovereignty.

They allege that passage of Valentinian in his Epistle to Theodosius, *That the most blessed Bishop of Rome, to whom antiquity hath given a priesthood over all, hath a See and power to judge both of faith and priests*<sup>f</sup>.

This was suggested by Pope Leo and his adherents to the young Emperor; but it signifieth no more, but that in the judgment of priests (as of faith) he was to have his share, or at most to be a leading person therein<sup>g</sup>.

Θεον Ἐκκλησίας ἴππακοῦσαι, καὶ τιμῆσαι· παρ' φί μάλιστα ἔθος αὐτὸν τῶν Ἀποστολίων θρόνον ἐξ Ἀποστολικῆς ἀκάλουθιας καὶ παραδόσεως ιθύνεσθαι, καὶ παρ' αὐτῷ δικάζεσθαι.—Syn. Eph. Act. IV. [Bin. Tom. II. p. 340 B.] [Mans. Conc. IV. col. 1312 D.]

<sup>d</sup> Justin. Nov. cxxix. cap. 3. Jubemus Episc. Rom. [Jubemus igitur beatissimos Archiepiscopos et Patriarchas, hoc est, seniores Romae, et Constantinopolitos, &c.c.]

<sup>e</sup> — aut piissimus dominus ipsum dignetur judicare negotium.—P. Greg. I. Ep. v. 20. [Opp. Tom. II. col. 749 D.]

<sup>f</sup> Ἰνα μακαριώτατος ἐπίσκοπος τῆς Ῥωμαίων πόλεως, φήτη λεφασίνην πατέ πάντων ἡ ἀρχαιότης παρέσχε, χάραν καὶ εὐπορίαν ἔχειν περὶ τε λόγων καὶ λεπτῶν κρίνειν ——.—Act. Syn. Chalc. [Bin. Tom. III. I. 25 D.] [Mans. Conc. Tom. VI. col. 49 B.]

<sup>g</sup> Ἰνα δὲ προλεχθεῖς λεπεύς, συναχθέντων ἐκ πάσης τῆς οἰκουμένης καὶ ἀν λοιπῶν λεπέων.—Ibid.

Theodosius (a mature, grave, pious prince) did not regard that pretence of Leo, nor the appeal of Flavianus<sup>h</sup>.

Upon a Sovereign all inferior magistrates depend.

VII. To the Sovereign of any state belongeth the choice, constitution, confirmation, commissionating of all inferior magistrates; that none uncapable, unworthy, or unfit for offices, or disaffected to the state, be intrusted with the management of affairs.

Wherefore the Pope doth claim and exercise these prerogatives so far as he can; pretending at least that no Bishop can be constituted without his designation, or his license, and his confirmation of the nomination, collation, or election. And these privileges by the great advocates<sup>i</sup> are upon highest terms asserted to him.

In this matter may be distinguished,

1 The designation of the person by election, or otherwise.

2 The confirmation of that.

3 The ordination or consecration of him to his office; the which conferreth on him his character and authority.

4 The authority by which he acteth.

Into all these the Pope hath intruded himself, and he will have a finger in them.

1 He gladly would have drawn to himself the collation and disposal of all benefices, challenging a general right to dispose of all at his pleasure<sup>k</sup>:

<sup>h</sup> [Vid. Theodos. Epist. ad Valent. Bin. p. 28.]

<sup>i</sup> Bell. de S. Pont. IV. 24.

<sup>k</sup> *Licet Ecclesiarum, personatum, dignitatum, aliorumque beneficiorum Ecclesiasticorum plenaria dispositio ad Romanum notetur Pontificem pertinere, &c.* — Clem. IV. [c. ann. 1190] in Sexto, Lib. III. Tit. IV. cap. 2. Corp. Jur. Can. Tom. II. p. 313. *Although*

ut not having been able wholly to deprive Princes and patrons of their nominations, and corporations of their election; yet he hath by reservations, revisions, collations of vacancies *apud Sedem*<sup>1</sup>, resignations, devolutions, and other such tricks, extremely encroached on the rights of all, to the infinite vexation, damage, and mischief of Christendom.

2 He pretendeth that no Bishop shall be ordained without his license.

3 He obligeth the person ordained to swear obedience to him.

4 He pretendeth that all Bishops are his ministers and deputies.

But no such privileges have any foundation or warrant in Holy Scripture, in ancient doctrine, or in primitive usage: they are all encroachments upon the original rights and liberties of the Church, derived from ambition and avarice; subsisting upon usurpation, upheld by violence. This will appear from a survey of ancient rules and practices concerning this matter.

The first constitution after our Lord's decease Acts i. 15. of an Ecclesiastical person was that of Matthias into the vacant Apostolate, or Bishopric of Judas<sup>m</sup>; wherein (upon St Peter's motion) all the disciples present did by consent present two<sup>n</sup>; out of whom God himself did elect one<sup>o</sup>, by determining the lot

*or plenary disposal of all Churches, parsonages, dignities, and other Ecclesiastical benefices be known to belong to the Pope of Rome, &c.—*  
*id. ibid. cap. IV. 10. XII. 20.*

<sup>1</sup> Clem. IV. in Sexto, Lib. III. Tit. 4. cap. 2. Ibid.

<sup>m</sup> Τὴν ἐπισκοπὴν αὐτοῦ λάβοι ἔπειρος.—Act. i. 20.

<sup>n</sup> Καὶ ἐστησαν δύο.—Ver. 23.

<sup>o</sup> Ἀνάδειξον ἐκ τούτων τὸν δύο ἕνα, δν ἐξελέξω.—Ver. 24.

to fall upon Matthias; so that this designation being partly human, partly Divine, so far as it was human, it went by free election of the whole fraternity; and St Peter, beside generally suggesting the matter to be done, did assume nothing peculiar to himself.

The next constitution we meet with is that of Deacons to assist the Apostles and Elders in discharge of inferior offices; wherein the Apostles did commit the designation of the persons to the multitude of the disciples, who elected them<sup>p</sup>; and presented them to the Apostles, who, by prayer and laying on of hands, did ordain them. Nor had St Peter in this action any particular stroke.

Acts vi.  
2—6.

As to the constitution of Bishops, in the first Apostolical times the course was this: the Apostles, and Apostolical persons, (who were authorized by the Apostles to act with their power, and in their stead,) did in Churches founded by them constitute Bishops, such as Divine inspiration, or their grace of discretion did guide them to<sup>q</sup>; so did St John in Asia, *Setting those apart for the Clergy whom the Spirit had marked out*<sup>r</sup>.

This was not done without the consent of the Christian people, as Clemens Romanus telleth us in his excellent Epistle to the Corinthians<sup>s</sup>: but he doth not acquaint us (although he were himself Bishop of Rome) that the Pope had any

<sup>p</sup> Τὸ πλῆθος τῶν μαθητῶν—καὶ ἔξελέξαντο.—Act. vi. 2, 5.

<sup>q</sup> Καὶ καταστῆσης κατὰ πόλιν πρεσβυτέρους, ὡς ἔγδο σοὶ διεταῦμη.—Tit. i. 5. Διακρίσεις πνευμάτων.—1 Cor. xii. 10.

<sup>r</sup> Κλήρος ἔνα γε εληρώσων τῶν ὑπὸ τοῦ Πνεύματος σημανομένων.—Euseb. Eccl. Hist. iii. 23.

<sup>s</sup> Τοὺς οὐν κατασταθέντας ὑπὸ ἐκείνων, ἡ μεταξὺ ὑφ' ἑτέρων ἀλογίμων ἀνδρῶν, συνενδοκησάσης τῆς Ἐκκλησίας πάσης.—Clem. Epist. l. ad Cor. cap. XLIV.

ing to do in such constitutions, or in confirmations of them; *The whole Church*, saith he, *contesting*; why doth he not add, for his own sake, *and the Pope confirming?*

In the next times, when those extraordinary persons and faculties had expired, when usually the Churches planted were in situation somewhat coherent and remote from each other, upon a vacancy the Clergy and people of each Church did elect its Bishop; in which action commonly the Clergy did propound and recommend a person, or persons, and the people by their consent approve, or by their suffrages elect one; a strict examination of his life and doctrine intervening: in which order Tertullian briefly doth intimate in those words: *The presidents of the Church are certain Elders well approved, who have obtained at honour, not by price, but by proof*<sup>1</sup>.

It may be inquired, how a Bishop then was ordained, in case his city was very remote from any other Churches? Did they send for Bishops from distant places to ordain him? Or did the Presbyters of the place lay their hands on him? Or did he receive no other ordination than that he had before of Presbyter? Or did he abide no Bishop till opportunity did yield Bishops to ordain him? Or did Providence order, that there should be no such solitary Churches? The ancient commentator, contemporary to St Ambrose, and

<sup>1</sup> Καὶ οὗτος δὲ δοκιμαζέσθωσαν πρῶτον, εἴτα διακονείτωσαν, ἀνέγκλητος πρεσβεῖος.—1 Tim. iii. 10.

<sup>2</sup> President probati quique seniores, honorem istum non precepio, sed testimonio adepti.—Apol. xxxix. [Opp. p. 31 v.]

<sup>3</sup> Plena diligentia, exploratione sincera.—Cyprian Ep. lxxviii. [Opp. p. 118.]

bearing his name, did conceive, that upon decease of a Bishop the elder of the Presbyters did succeed into his place<sup>x</sup>. Whence had he this, out of his invention and conjecture, or from some tradition and history?

Afterward, when the faith was diffused through many provinces, that Churches grew thick and close, the general practice was this: the neighbour Bishops (being advertised of a vacancy, or want of a Bishop) did convene at the place; then in the congregation the Clergy of the place did pronounce a person, yielding their attestation to his fitness for the charge; which the people hearing did give their suffrages, accepting him, if no weighty cause was objected against him; or refusing him, if such cause did appear: then, upon such recommendation and acceptance, the Bishops present did adjoin their approbation and consent; then by their devotions, and solemn laying on of their hands, they did ordain or consecrate him to the function.

Of this course most commonly practised in his time we have divers plain testimonies in St Cyprian, the best author extant concerning these matters of ancient discipline: *For which reason*, saith he, *that from Divine tradition and Apostolical observation is to be observed and held, which also is with us; and almost through all provinces, kept; that for duly celebrating ordinations unto*

<sup>x</sup> *Primum Presbiteri Episcopi appellabantur; ut recessentes eo sequens ei succederet, &c.* — Com. in Eph. iv. 11. [Inter Amb. Opp. Tom. II. (App.) col. 241 E.] *At first Presbyters were called Bishops, that one departing, the next might succeed him.* — Vid. Grat. Dist. LXVI. cap. 2. [Corp. Jur. Can. Tom. I. p. 89.]

*t people, for whom a Bishop is ordained, all the  
ghbour Bishops of the same (province or people)  
uld resort; and a Bishop should be chosen, the  
ple being present, which most fully knoweth the  
of each one, and hath from his conversation a  
rough insight into his practice; the which we see  
ie with you in the ordination of our colleague  
binus, that by the suffrage of all the fraternity,  
l by the judgment of all the Bishops, which had  
embled in the presence, and had sent letters to you  
ut him, the Bishopric should be deferred to him<sup>1</sup>.*

*Again: A people obedient to the Lord's com-  
mands, and fearing God, ought to separate itself  
m a wicked Bishop, (such a notoriously wicked  
ishop as those were of whom he treateth, who  
d renounced the faith,) and not to mingle itself  
ith the sacrifices of a sacrilegious priest; seeing  
specially that it hath a power either to choose  
orthy priests, or to refuse those who are unworthy;  
e which also we see to descend from Divine au-  
rity, that a Bishop should be chosen, the people  
eing present, before the eyes of all; and that he  
ho is worthy and fit, should be approved by public  
udgment and testimony<sup>2</sup>.*

<sup>1</sup> Propter quod diligenter de traditione Divina et Apostolica  
terratione servandum est et tenendum, quod apud nos quoque  
fere per provincias universas tenetur; ut ad ordinaciones rite  
lebrandas, ad eam plebem cui præpositus ordinatur, Episcopi  
udem provinciæ proximi quique convenient, et Episcopus deli-  
etur plebe præsente, quæ singulorum vitam plenissime novit, et  
iuscujusque actum de ejus conversatione perspexit. Quod et  
ud vos factum videmus in Sabini collegiæ nostri ordinatione, ut  
universæ fraternitatis suffragio, et de Episcoporum, qui in præ-  
stia convenerant, quique de eo ad vos literas fecerant, judicio  
iscopatus ei deferretur.—Ep. LXVIII. [Opp. p. 119.]

<sup>2</sup> Plebs obsequens præceptis Dominicis, et Deum metuens, a  
ccatore præposito separare se debet, nec se ad sacrilegi sacer-

*Again: When (saith he concerning himself) a Bishop is substituted in the place of one deceased, when he is peaceably chosen by the suffrage of all the people;—and whom, if according to the Divine instructions, the whole fraternity would obey, no man would move any thing against the college of priests; none after the Divine judgment, after the suffrage of the people, after the consent of the fellow-Bishop, would make himself judge, not indeed of the Bishop, but of God<sup>a</sup>.*

*Again: Cornelius was made Bishop by the judgment of God and his Christ, by the testimony of almost all the Clergy, by the suffrage of the people, being then present, and by the College of priests, ancient and good men<sup>b</sup>: and, Cornelius being in the Catholic Church ordained by the judgment of God, and by the suffrage of the Clergy and people<sup>c</sup>.*

dotis sacrificia miscere; quando ipsa maxime habeat potestatem vel eligendi dignos sacerdotes, vel indignos recusandi. Quod et ipsum videmus de Divina auctoritate descendere; ut sacerdos plebe præsente sub omnium oculis delegatur, et dignus atque idonus publico judicio ac testimonio comprobetur. —. —. Ibid. [Opp. p. 118.]

Suffragio totius populi Cæcilianus eligitur.—Optat. Lib. I [cap. 18. p. 17.]

<sup>a</sup> Cæterum quando Episcopus in locum defuncti substituitur, quando populi universi suffragio in pace deligitur;—cui si secundum magisteria Divina obtemperaret frataternitas universa, nemo adversum sacerdotum collegium quidquam moveret, nemo post Divinum judicium, post populi suffragium, post coepiscoporum consensum, judicem se jam, non Episcopi, sed Dei, faceret.—. —. Ep. LV. [Opp. p. 82.]

<sup>b</sup> Factus est autem Cornelius Episcopus de Dei et Christi ejus judicio, de clericorum pene omnium testimonio, de plebis, quæ tunc affuit, suffragio, et de sacerdotum antiquorum et bonorum virorum collegio.—. —. Ep. LII. [Opp. p. 68.]

<sup>c</sup> Cornelio in Catholica Ecclesia de Dei judicio, et cleri ac plebis suffragio ordinato.—. —. Ep. LXVII. [Opp. p. 115.]

Again: *When a Bishop is once made, and is approved by the testimony and the judgment of his colleagues, and of the people*<sup>4</sup>—.

The Author of the Apostolical Constitutions thus in the person of St Peter very fully and clearly describeth the manner of ordination of Bishops in his times: *After one of the chief Bishops present has thus prayed, the rest of the priests with all the people shall say, Amen; and after the prayer, one of the Bishops shall deliver the Eucharist into the hands of the person ordained, and that morning he shall be placed by the rest of the Bishops in his throne, all of them saluting him with a kiss in the Lord. After the reading of the Law and Prophets, of our Epistles, the Acts and Gospel, he who is ordained shall salute the Church with these words, The grace of our Lord Jesus Christ, and the love of God the Father, and the fellowship of the Holy Ghost, be with you all, Amen. And let all answer, And with thy spirit. After which words let him exhort the people*<sup>5</sup>.

Thus it was then, in a practice so obvious and observable, that a Pagan Emperor took good

<sup>4</sup> Episcopo semel facto, et collegarum ac plebis testimonio et iudicio comprobato —.—Ep. xli. (ad Cornel.) [Opp. p. 56.]

<sup>5</sup> Constit. Apost. VIII. 5. [Καὶ ταῦτα ἐπειχαμένου, οἱ λοιποὶ λεπτοὶ ἀλεγέντωσι, ἀμήν καὶ σὺν αὐτοῖς ἀπας ὁ λαός. καὶ μετὰ τὴν προηχήν, εἰς τὸν ἐπισκόπων ἀναφερέτε τὴν θυσίαν ἐπὶ τῶν χειρῶν τοῦ χριστοτόβεντος, καὶ τῇ ἔσθεν ἐνθρονίσθω εἰς τὸν αὐτῷ διαφέροντα τίνος παρὰ τὸν λοιπὸν ἐπισκόπων, πάντων αὐτὸν φιλησάντων τῷ ἐν Κυρίῳ φιλήματι. καὶ μετὰ τὴν ἀνάγνωσιν τοῦ νόμου καὶ τῶν προφητῶν, τὸν τι ἐπιστολῶν ἡμῶν καὶ τῶν πράξεων καὶ τῶν εὐαγγελίων, ἀσπασθέω δὲ χειροτομῆσι τὴν ἐκκλησίαν, λέγων ἡ χάρις τοῦ Κυρίου ἡμῶν Ἰησοῦ Χριστοῦ, ἡ ἀγάπη τοῦ Θεοῦ καὶ Πατρὸς, καὶ ἡ κοινωνία τοῦ ἀγίου Πνεύματος, μετὰ πάντων ὑμῶν· καὶ πάντες ἀποκρινέσθωσαν· καὶ μετὰ τοῦ πνεύματος σεῦ· καὶ μετὰ τὴν πρόσρησιν, προσλαλησάτω τῷ λαῷ λόγους παρακλήσεως.—Cot. Pat. Apost. Tom. I. p. 392.]



they could not make their accusation were to die for it: and he said it wou not to do that in the choice of governors q to whom the lives and fortunes of me trusted, which the Christians and Jews di up those who were to be ordained priests<sup>1</sup>

Afterward, in process of time, when of distance being filled up, and Christ coming one continued body) Ecclesiastical discipline was improved into a more comp for constitution of a Bishop, all the Bi province did convene<sup>8</sup>, (or such as convenience, the others signifying their writing,) and having approved him w<sup>l</sup> commended by the Clergy, and allow

<sup>1</sup> Ubi aliquos voluisset vel rectores provinciis datus facere, vel procuratores id est rationales ordinari eorum proponebat, hortans populum, ut siquid habebat probaret manifestis rebus; si non probasset, subiretis; dicebatque grave esse, quum id Christiani et in praedicandis sacerdotibus qui ordinandi sunt, no

eople, they did ordain him; the Metropolitan of the province ratifying what was done.

So the Nicene Synod, regarding the practice which had commonly obtained, did appoint, with qualification to be generally observed: *It is most fit, say they, that a Bishop be constituted by all the Bishops in the province; but if this be hard, either because of urgent necessity, or for the length of the way, then three of the body being gathered together, (those also who are absent conspiring in opinion, and yielding their consent in writing,) let the ordination be performed, but let the ratification of what is done be assigned to the Metropolite in each province<sup>a</sup>.*

In this Canon (the which is followed by divers Canons of other Synods) there is no express mention concerning the interest of the Clergy and people in election of the Bishops; but these things are only passed over, as precedaneous to the constitution or ordination, about which only the Fathers did intend to prescribe; supposing the election to proceed according to former usual practice.

That we ought thus to interpret the Canon, so that the Fathers did not intend to exclude the people from their choice, doth appear from their

<sup>a</sup> Ἐπίσκοπον προσήκει μᾶλιστα μὲν ὑπὸ πάντων τῶν ἐν τῇ ἐπαρχίᾳ διοιτασθαι. εἰ δὲ δυσχερές τὸ τοιούτο, ἡ διὰ κατεπείγουσαν ἀνάγκην, διὰ μῆκος ὅδοῦ, ἢξ ἀπαντος τρεῖς ἐπὶ τὸ αὐτὸ συναγομένους, συμψήφιους πορέτους καὶ τῶν ἀπόντων, καὶ συντιθεμένων διὰ γραμμάτων, τότε τὴν προτοτίαν ποιεῖσθαι. τὸ δὲ κύρος τῶν γυνομένων δίδοσθαι καθ' ἐκάστην παρχίαν τῷ μητροπολίτῃ.—Conc. Nic. Can. iv. [Bin. Tom. i. p. 341.] Mans. Conc. Tom. II. col. 669 b.] Vid. Can. Apost. Can. i. [Bin. 7.] [Mans. Tom. i. col. 29 a.] Conc. Antioch. Can. xix. [Bin. 511.] [Mans. Conc. Tom. II. col. 1316 c.] Conc. Laod. Can. xii. [Bin. p. 298.] [Mans. Tom. II. 567 d.] Cod. Can. Eccl. Afric. n. xiii. [Bin. p. 708.]

Synodical Epistle; wherein they decree concerning Bishops constituted by Meletius, who, returning to communion with the Church, did live in any city, that, *If any Catholic Bishop should happen to die, then should those who were already received ascend into the honour of him deceased; in case they should appear worthy, and the people should choose, the Bishop of Alexandria withal adding his suffrage to him, and his confirmation*<sup>1</sup>: the which words with sufficient evidence do interpret the Canon not to concern the election, but the ordination of Bishops.

Thus the Fathers of the Second General Synod plainly did interpret this Canon by their proceeding; for they, in their Synodical Epistle to Pope Damasus and the Western Bishops, did assure him, that they in the constitution of Bishops for the principal Eastern Sees, had followed this order of the Synod of Nice, together with the ancient law of the Church<sup>k</sup>; in agreement whereto they had ordained Nectarius Bishop of Constantinople, *With common consent, under the eyes of the most religious Emperor Theodosius, and of all the Clergy, the whole city adjoining also its suffrage*<sup>2</sup>; and that for Antioch, *The Bishops of the province*<sup>3</sup>

<sup>1</sup> Εἰ δέ τινα ποτὲ συμβαίνει ἀναπαύσασθαι τῶν ἐν τῇ ἀκελλησίᾳ, τρεπάντων τοῦ πατρὸς τοῦ τετελεκότος τούς ἀρτι προσληπόντας, μόνον εἰ ἄξιοι φαίνοντο, καὶ δὲ λαὸς αἴροντο, συνεπιψηφίζοντας αὐτοῖς, καὶ ἐπισφραγίζοντο τοῦ τῆς καθολικῆς ἀλεξανδρείας ἐπισκόπου. — Theodor. Eccl. Hist. I. 8. [Opp. Tom. III. p. 547 d.] Cf. Soc. I.

<sup>k</sup> Παλαιός τε θεσμὸς κεκράτηκε, καὶ τῶν ἀγίων ἐν Ναυαὶ πεντάροοσ—Οἰς ἀκολούθως—. — Epist. Syn. Conc. Const. apud Theod. Eccl. Hist. [Opp. Tom. III. p. 717 B.]

<sup>1</sup> — μετὰ κοινῆς ὁμονοίας, ὑπὲρ ὄψεως καὶ τοῦ θεοφιλεστάτου βασιλέως Θεοδοσίου, παντός τε τοῦ κλήρου, καὶ πάσης ἐπιψηφιζομένης τῆς πόλεως.—Ibid.

*and of the Eastern diocese concurring, had canonically ordained Flavianus Bishop, the whole Church consenting, as with one voice, to honour the person<sup>m</sup>.*

Indeed, the practice generally doth confirm this, the people every where continuing to elect their Bishop: so did the people of Alexandria demand Athanasius for their Bishop<sup>n</sup>. So Pope Julius did complain, that Gregory was intruded into the place of Athanasius: *Not being required by the Presbyters, not by the Bishops, not by the people<sup>o</sup>.* So Gregory Nazianzen<sup>p</sup> describeth the elections of Bishops in his times, to be carried by the power of wealthy men, and impetuousness of the people. So Austin intimateth the same in his speech about designation of a successor to himself: *I know, says he, that after the decease of Bishops the Churches are wont to be disturbed by ambitious and contentious men<sup>q</sup>.* So the tumults at Antioch, in choosing a Bishop after Eustathius<sup>r</sup>; at Rome, after Liberius<sup>s</sup>; at Constantinople, after Alexander<sup>t</sup>; at Milan, when St Ambrose was chosen<sup>u</sup>. So

<sup>m</sup> ——— ἐπίσκοπον Φλαβιανὸν οἵ τε τῆς ἐπαρχίας, καὶ τῆς Ἀραπολικῆς κοινότητος συνδραμόντες κανονικῶς ἔχειροτόνησαν, πάσης συμψήφου τῆς κελευσίας ὥσπερ διὰ μᾶς φωνῆς τὸν ἄνδρα τιμησάσης.—Ibid.

<sup>n</sup> Athan. Apol. con. Arian. [Opp. Tom. I. p. 129 A. Καὶ πᾶς δὲ τῆς καθολικῆς ἐκκλησίας, ὥσπερ ἐκ μᾶς ψυχῆς συνεληλυθότες, περβάν, ἔκραζον, αἰτοῦστες Ἀθανάσιον ἐπίσκοπον τῇ ἐκκλησίᾳ.]

<sup>o</sup> Μὴ αἰτηθέντα παρὰ πρεσβυτέρων, μὴ παρ' ἐπισκόπων, μὴ παρὰ κανονικῶν.—[Ibid. p. 149 B.]

<sup>p</sup> [Orat. xviii. Opp. Tom. I. p. 356 B. Orat. xliii. p. 791 D. See 229 of this Treatise.]

<sup>q</sup> Scio post obitus Episcoporum, per ambitiosos aut contentiosos mere Ecclesias perturbari——.—Aug. Ep. cx. [Ep. ccxiii. Opp. Tom. II. col. 789 A.]

<sup>r</sup> Euseb. de Vit. Const. III. 59, 60. Socrat. I. 24.

<sup>s</sup> Sozom. vi. 23. Ammian. Marcell. xxvii. [3, 12.]

<sup>t</sup> Sozom. III. 4.

<sup>u</sup> Theodor. Hist. Eccl. IV. 6. [Opp. Tom. III. p. 666 B.]

Stephanus, Bishop of Ephesus, in justification of himself, saith: *Me forty Bishops of Asia, by the suffrage of the most noble and of the substantial citizens, and of all the most reverend Clergy, and of all the rest of the whole city, did ordain<sup>x</sup>:* and his competitor Bassianus: *Me, with great constraint and violence, the people and the Clergy, and the Bishops did install<sup>y</sup>.*

In the Synod of Chalcedon, Eusebius, Bishop of Ancyra, saith, that *The whole city of Gangra did come to him, bringing their suffrages<sup>z</sup>:* Possidius telleth us of St Austin, that *In ordaining Priests and Clergymen he deemed the greater consent of Christians, and the custom of the Church, was to be followed<sup>a</sup>.*

So Celestine the First: *Let no Bishop be given them against their wills; let the consent and request of the Clergy, the people, and the order, be expected<sup>b</sup>:* and Pope Leo the First: *When there shall be an election of a Bishop, let him be pro-*

<sup>x</sup> Ἐμὲ τεσσαράκοντα ἐπίσκοποι τῆς Ἀσίας ψήφῳ καὶ τὸν λαρ-  
προτάτων, καὶ τῶν λογάδων, καὶ τοῦ εὐλαβεστάτου παντὸς λέπρου,  
καὶ τῶν λοιπῶν πάντων τῆς πόλεως πάσης, ἐχειροτόνησαν.—*Opp.*  
*Chalc. Act. xi.* [Bin. Tom. p. 404 B.] [Mans. Conc. Tom. vii.  
col. 277 A.]

<sup>y</sup> Ἐμὲ δὲ μετὰ πολλῆς ἀνάγκης καὶ βίας ἐνθρονίσουσιν εἰς τὴν αὐτὴν  
πόλιν Ἐφεσον δὲ λαὸς, καὶ δὲ κλῆρος, καὶ οἱ ἐπίσκοποι.—[Bin. p. 404 B.]  
[Mans. col. 277 C.]

<sup>z</sup> Ἀπασα γάρ οὐ πολις ἥλθε πρὸς ἐμὲ εἰς Ἀγκύραν καὶ ἐκέμενε τὸ  
ψηφίσματα.—*Syn. Chalc. Act. xvi.* [Bin. p. 462 F.] [Mans. col.  
449 C.]

<sup>a</sup> In ordinandis vero sacerdotibus et clericis consensum ma-  
jorem Christianorum, et consuetudinem Ecclesiae sequendam esse  
arbitrabatur.—*Possid. in Aug. Vit. cap. xx.* [Opp. Tom. x. (App.)  
col. 272 B.]

<sup>b</sup> Nullus invitatis detur Episcopus. Cleri, plebis, et ordinis con-  
sensus, ac desiderium requiratur.—*P. Celest. I. Ep. ii.* [Bin. Tom. i.  
p. 902 C.] [Mans. Conc. Tom. iv. col. 466 E.]

*red who has the unanimous consent of the Clergy & people; provided that if perchance on a different son the votes of the parties be divided, he be pre red by the judgment of the Metropolitan, whose rits and interest are greatest; only that none may ordained against their wills, or without their ire, lest the unwilling people contemn or hate a shop whom they never desired, and become less re ions than they ought, because they could not have ch a Bishop as they would<sup>o</sup>: and in other of his pistles: There is no reason that they should be xcounted Bishops, who were neither chosen by the lergy, nor desired by the people, nor with the etropolitan's order consecrated by the provincial Bishops<sup>d</sup>—. Certainly the desires of the citizens, nd the testimonies of the people should have been xpected, with the judgment of the honourable, and he choice of the Clergy, which in the ordinations of Priests use to be observed by those who knew the rules of the Fathers.—When peaceably, and with such*

<sup>c</sup> Cum ergo de Summi Sacerdotis electione tractabitur, ille amibus præponatur, quem cleri plebisque consensus concorditer scalarit; ita ut si in aliam forte personam partium se vota di erint, Metropolitani judicio is alteri præferatur, qui majoribus et iudicis juvatur et meritis; tantum ut nullus invitio et non peten bu ordinetur; ne civitas Episcopum non optatum aut contemnat soderit; et fiat minus religiosa quam convenit, cui non licuerit bere quem voluit.—P. Leo. I. Ep. xiv. cap. 5. (ad Anast.) [Opp. m. I. col. 688.]

<sup>d</sup> Nulla ratio sinit, ut inter Episcopos habeantur, qui nec a ricis sunt electi, nec a pleibus expetiti, nec a provincialibus iscopis cum Metropolitani judicio consecrati.—[Ep. CLXVII. 1420.]

<sup>e</sup> Expectarentur certe vota civium, testimonia populum: ereretur honoratorum arbitrium, electio clericorum, quæ in sardotum solent ordinationibus ab his, qui noverunt patrum regulas, stodiri.—[Ep. x. col. 637.] Cf. Grat. Dist. LXIII. cap. 27. Corp. Jur. Can. Tom. I. p. 86.]

*concord as God loves, he who is to be a teacher of peace is ordained by the agreement of all<sup>1</sup>.—Let Priests who are to be ordained be required peaceably and quietly; let the subscription of the Clergy, the testimony of the honourable, the consent of the order and people be observed; let him who is to preside over all be chosen by all<sup>2</sup>. And Pope Nicholas I.: Because we know the custom of your royal city, that none can arrive at the top of the highest priestly power without the assent of the Ecclesiastical people and the Emperor's suffrage<sup>3</sup>.*

Now in all these proceedings it is most apparent, that there was no regard had to the Pope, or any thought of him, out of his particular territory; which he had as Metropolitan, (or afterwards as Primate in some parts of the West). Nowhere else had he the least finger in the constitution of a Bishop anywhere through the whole Church; no, not of the least Clergyman.

When by St Cyprian<sup>4</sup> so largely and punctually the manner of constituting Bishops is declared; when the Nicene Canons and those of other Synods do so carefully prescribe about the ordination of

<sup>1</sup> Quum per pacem, et Deo placitam concordiam concensum omnium studiis, qui doctor pacis futurus est, ordinatur.—Ibid.

<sup>2</sup> Per pacem et quietem sacerdotes qui futuri sunt postulentur. Teneatur subscriptio clericorum, honoratorum testimonium, ordinis consensus et plebis. Qui praefuturus est omnibus, ab omnibus eligatur.—[Ibid. col. 639.]

<sup>3</sup> Quia consuetudinem vestram novimus in regia urbe, minime apicem archieratice potestatis aliquem posse habere sine Ecclesiastice plebis assensu atque Imperiali suffragio.—P. Nich. I. Ep. v. [Bin. Tom. vi. p. 494. c. 1 A.] [Mans. Tom. xv. col. 171<sup>1</sup> L] Cf. P. Joh. VIII. Ep. LXX. [Bin. Tom. vii. p. 29. c. 2 A, B, C.] [Mans. Tom. xvii. col. 59 A.] Grat. Dist. LXII. [Corp. Jur. Can. Tom. i. p. 82, et seqq.]

<sup>4</sup> Vid. P. Leo. Ep. xiv. clxxi. xlvi. [?]

em; when so many reports concerning the election Bishops do occur in History; why is there not tittle of mention concerning any special interest the Roman Bishops about them? So true is *at of Albertus Crantzius: There was no need then Apostolical confirmation; it was sufficient, if the election were approved by the Archbishop: now the church of Rome has assumed to herself the rights of all Churches<sup>k</sup>.*

We may by the way observe, that in the first times they had not so much as an absolute power of ordaining a Presbyter in the Church of his own city without leave of the Clergy and people; as may be inferred from that passage in Eusebius, where Pope Cornelius relateth that the Bishop who ordained Novatus, *Being hindered from doing it by all the Clergy and by many of the Laity, did request that it might be granted to him to ordain that one person<sup>l</sup>:* and he that so hardly could ordain one Priest in his own Church, what authority could he have to constitute Bishops in all other Churches?

To all these evidences of fact our adversaries<sup>m</sup> do oppose some instances of Popes meddling in the constitution of Bishops; as, Pope Leo I. saith, that Anatolius did by the favour of his assent obtain the Bishopric of Constantinople<sup>n</sup>. The same Pope is

<sup>k</sup> *Nihil tum opus erat Apostolica confirmatione; satis erat electionem ab Archiepiscopo comprobari: nunc ad se omnium Ecclesiarum jura traxit Romana Ecclesia.*—Crantz. Metrop. vii. 45.

<sup>l</sup> *Διακωλυμένος ἵππο πατρὸς τοῦ κλήρου, ἀλλὰ καὶ λαϊκῶν πολλῶν — ἡξίσως συγχωρηθῆται αὐτῷ τοῦτον μόνον χειροτονῆσαι.*—P. Cor. I. apud. Euseb. Hist. Eccl. vi. 43.

<sup>m</sup> Bell. de S. Pont. n. 18, 20.

<sup>n</sup> *Satis sit praedicto quod vestram pietatis auxilio, et mei favoris iensu, Episcopatum tantæ urbis obtinuit.*—P. Leo. Ep. civ.

alleged as having confirmed Maximus of Antioch. The same doth write to the Bishop of Theessalonica, (his vicar,) that he should confirm the elections of Bishops by his authority<sup>9</sup>. He also confirmed Donatus, an African Bishop: *We will that Donatus preside over the Lord's flock, upon condition that he remember to send us an account of his faith*<sup>10</sup>. Also Gregory I. doth complain of it, as of an inordinate act, that a Bishop of Salonaë was ordained without his knowledge<sup>11</sup>. Pope Damasus did confirm the ordination of Peter Alexandrinus: *The Alexandrians, saith Sozomen, did render the Churches to Peter, being returned from Rome, with the letters of Damasus, which confirmed both the Nicene decrees, and his ordination*<sup>12</sup>: but what, I pray, doth confirmation here signify, but approbation? for did he otherwise confirm the Nicene decrees? did they need other confirmation?

To the former instances we answer, that being well considered they do much strengthen our argument; in that they are so few, so late, so lame, so impertinent: for if the Pope had enjoyed a power of constituting Bishops, more instances of its exercise would have been producible; indeed, it could

[Opp. Tom. I. col. 1149.] Cf. De Marc. de Concord. III. 14. § 1.  
[Tom. I. p. 181. c. 2.]

<sup>9</sup> Ut ordinationem rite celebrandam tua quoque firmet auctoritas.—Ep. xiv. cap. 6. (ad Anast.) [Tom. I. col. 688.]

<sup>10</sup> Donatum—ita Dominico volumus gregi præsidere, ut libellum fidei sue ad nos meminerit dirigendum—.—Ep. XII. cap. 6. Tom. I. col. 665.]

<sup>11</sup> Salonitanæ civitatis Episcopus me ac Responsali meo nescient<sup>o</sup> ordinatus est, et facta res est, quæ sub nullis anterioribus principib<sup>o</sup>ibus evenit.—P. Greg. I. Ep. v. 21. [Opp. Tom. II. col. 752 A.]

<sup>12</sup> ——Ἀλεξανδρεῖς ἐπανελθόντι δὲ τῷτε Πέτρῳ ἀπὸ τῆς Ρώμης μηγραμμάτων Δαμάσου, τά τε ἐν Νικαιᾳ δόξαντα, καὶ τὴν αὐτοῦ χειροτονίαν κυρούντων, παρέδωκαν τὰς Ἐκκλησίας.—Sozom. VI. 39.

it be but that History would have been full of him; the constitution of Bishops being a matter of continual use, and very remarkable. At least they might have found one instance or other to allege before the times of that busy Pope Leo; in whose reign, and by whose means, Papal authority began to overflow its banks. And those which they produce nowise reach home to the point; Anatolius did gain the Bishopric of Constantinople by the help of the Emperor, and by the assent of the Pope's 'curia': what then? Anatolius being put into that see in the room of Flavianus, by the influence of Dioscorus, (whose Responsal he had been,) and having favoured the Eutychian faction, Pope Leo might thence have had a fair colour to disavow him, as incapable of that function and dignity, he being so obnoxious; both having such a flaw in his ordination, and having been guilty of great faults, adherence to the party of Dioscorus, and irregularly ordaining the Bishop of Antioch; but he, out of regard to the Emperor's intervention, did

<sup>1</sup> *Nos enim vestras fidei et interventionis habentes intuitum, am secundum suæ consecrationis auctores ejus initia titubarent, negligiores erga ipsum quam justiores esse voluimus*—.—P. eo. I Ep. cv. (ad Martianum). [Opp. Tom. I. col. 1147.]

<sup>2</sup> *Decessore enim tuo beatae memorie Flaviano, propter decisionem Catholicæ veritatis ejecto, non immerito credebatur, ad ordinatores tui, contra sanctorum Canonum constituta videbatur sui similem consecrasse*.—Post illa itaque ordinationis non inculpata principia.—.—Id. Ep. cvi. ad Anatol. [coll. 59, 1161.]

Cf. Liberat. Brev. [cap. xii. apud Bin. Tom. iv. p. 390 d. Valen- tianum autem Imperatorem et Eudoxiam uxorem ejus—Roma Pontifex deprecatus est, ut Imperatorem Theodosium horrentur aliam fieri Synodum ad retractandum illa, quæ a Dio- pro male acta atque perpetrata fuerant in damnatione Flaviani episcopi, et orthodoxorum depositione.]

acknowledge Anatolius for Bishop: this was the favourable assent, with which he upbraideth Anatolius, having displeased him: and what doth this signify?

Again, Pope Leo did not reject Maximus, Bishop of Antioch from communion, nor disclaimed his ordination, although liable to exception<sup>u</sup>: what then? is this a confirmation of him? No such matter; it was only, which in such a vixenly Pope was a great favour, a forbearance to quarrel with him, as not duly ordained; which any other Bishop might have done. If a Pope had a flaw in his ordination, another Bishop might refuse him.

Again, Pope Leo did enjoin the Bishop of Thessalonica to confirm ordinations: what is that to the purpose? It belonged to that Bishop, as a Metropolitan, by the Canons, to confirm those in his Province, or, as a Primate, to confirm those in his Diocese; it belonged to him, as the Pope's vicar in those territories, to which the Pope had stretched his jurisdiction, to execute the Pope's orders: but what is this to universal authority? It is certain, that Illyricum was then in a more special manner subjected to the Pope's jurisdiction than any of the other Eastern Churches; what therefore he did there, cannot be drawn into consequence as to other places.

<sup>u</sup> Quod nos amore reparandæ fidei, et pacis studio retractare cessavimus.—P. Leo. I. Ep. civ. (ad Marcian.) Opp. Tom. I. col. 1153.

Cf. Conc. Chalc. Act. x. [Bin. Tom. III. p. 396 c.] [*Ἐπειδὴν δὲ ἀγώνατος Ἐπίσκοπος Ρωμαίων Λέων, εἰς κοινωνίαν αὐτὸν (Μαξίμῳ) δεξάμενος, ἀρχεῖν τῆς Ἀντιοχέων Ἑκκλησίας ἐδικαίωσεν.*—Mansi. Conc. Tom. VII. col. 257 c.]

The same may be said in answer to the complaint of Pope Gregory, and to any the like instances.

Moreover, surreptitious, presumptuous, pragmatical intrusions, or usurpations of power, do not suffice to found a right in this or any other case; to which purpose, and wholly to invalidate any such pleas, these observations may be considered.

I There do occur divers instances of Bishops, who did meddle in ordinations of other Bishops, so as to bear great stroke in constituting them, who did not thereby pretend to universal jurisdiction; and it would be extremely ridiculous thence to infer they had any reasonable claim thereto.

Thus it was objected to Athanasius, *That he presumed to ordain in cities which did not belong to him*<sup>a</sup>. Eusebius of Constantinople did obtrude Eusebius Emissenus to be Bishop of Alexandria<sup>b</sup>. Eustathius of Antioch did ordain Evagrius Bishop of Constantinople<sup>c</sup>. Euzoius delivered unto Lucius the Bishopric of Alexandria<sup>d</sup>. Lucifer, a Sardinian Bishop, did ordain Paulinus Bishop of Antioch<sup>e</sup>. They for a *salvo* say, as the Pope's Legate: but upon what ground or testimony?

<sup>a</sup> Ἀμέλεις τοι καὶ τοῦτο ἔγκλημα αὐτῷ ἐπῆγον, ὡς ἐν πόλεσι μηδὲν αὐτῷ προσηκόντας χειροτονεῖ ἐνόλμησεν.—Soz. III. 21.

<sup>b</sup> Ἐπὶ τὸν Ἀλεξανδρεῖας προεκλήθη θρόνον ὑπὸ Εὐσέβιου τοῦ Καιροποταμουπόλεως Ἐπισκόπου.—Id. III. 6.

<sup>c</sup> Soz. IV. 14. [Καὶ χειροτονεῖ τοῦτον (Εὐάγριον) Εὐστάθιος, διδάσκων ποτὲ Ἐπίσκοπος Ἀρτιοχέλας γεγονός.]

<sup>d</sup> Ἐπὶ τῷ παραδούναι Λουκίῳ τῷ Ἀρειανῷ τὰς ἑκεὶ Ἐκκλησίας.—Soz. IV. 21.

<sup>e</sup> Καταστήσας οὖν Παυλίνον Ἐπίσκοπον αὐτοῖς.—Id. III. 6. Cf. VI. 2.

Why did not Historians tell us so much? The Pope had then been hissed at, if he had sent Legates about such errands; it was, indeed, out of presumption and pragmatical zeal to serve a party, then ordinary in persons addicted to all parties, right and wrong; it not being then so expressly forbidden by the Canons as afterward.

Theognis and Theodorus did make Macedonius Bishop of Constantinople<sup>c</sup>. Theophilus of Alexandria did ordain St Chrysostom<sup>d</sup>. The Egyptian Bishops surreptitiously did constitute Maximus, the Cynic philosopher, Bishop of Constantinople<sup>e</sup>. Acacius (who had as little to do there as the Pope) did thrust Eudoxius into the throne of Constantinople<sup>f</sup>. Meletius<sup>g</sup> of Antioch did constitute St Gregory Nazianzen to the charge of Constantinople. *Acacius and Patrophilus, extruding Maximus, did in his room constitute Cyril<sup>h</sup> Bishop of Jerusalem.* Pope Leo doth complain of Anatolius, that against the canonical rule he had assumed to himself the ordination of the Bishop of Antioch<sup>i</sup>.

<sup>c</sup> Σοz. III. 7. [Οἱ ἀμφὶ Θεόγνιτον τὸν Νικαῖας Ἐπίσκοπον καὶ Θεόδορον τὸν Ἡρακλεῖας——Μακεδονίου ἔχειροτόνησαν Κωνσταντινουπόλεας Ἐπίσκοπον.]

<sup>d</sup> Ο Θεόφιλος τὸν Ἰωάννην ἔχειροτόνησε.——Socr. VI. 2.

<sup>e</sup> Τούτον κλέψαντες τὴν χειροτονίαν, Ἐπίσκοπον Κωνσταντινουπόλεως κατέστησαν οἱ τοτε ἐξ Αλγύπτου συνεληλυθότες.——Socz. VII. 9, p. 289.

<sup>f</sup> Τὸν περὶ Ἀκάιων ἐνθρονισάντων αὐτὸν.——Socr. II. 43, p. 159.

<sup>g</sup> Ἐπεὶ δὲ τάδε ὅδε γέγονε, Μελέτιος μὲν ἡκεὶ εἰς Κωνσταντινούπολιν, ἡνίκα καὶ ἄλλοις Ἐπισκόποις κατὰ ταῦτα γενομένοις, ἔδει ἀναγκαῖον εἶναι ἐκ τῆς Ναζιακοῦ μεταβεῖναι Τρηγύριον, καὶ ἐπιτρέψαι αὐτῷ τὴν ἐνθάδε Ἐπισκοπήν.——Socz. VII. 3.

<sup>h</sup> Ἀκάιος μὲν γὰρ καὶ Πατρόφιλος Μάξιμον τὸν Ἱεροσολύμων ἔωθισάντες Κύριλλον ἀντικατέστησαν.——Socr. II. 38.

<sup>i</sup> Post consecrationem Antiocheni Episcopi, quam tibimet contra Canonicam regulam vindicasti——.——P. Leo. I. Ep. cxi. (ad Anatol.) [Opp. Tom. I. co. 1161.]

2 To obviate these irregular and inconvenient proceedings, having crept in upon the dissensions of faith, and especially upon occasion of Gregory *azianzen* being constituted Bishop of Constantinople by Meletius, and Maximus being thrust into the same See by the Egyptians, (whose party at a time the Roman Church did countenance,) the Second General Synod did ordain, that no Bishop should intermeddle about ordinations without the bounds of his own Diocese.

3 In pursuance of this law, or upon the round of it, the Pope was sometimes checked, when he presumed to make a sally beyond his bounds in this or the like cases. As when Pope Innocent I. did send some Bishops to Constantinople for procuring a Synod to examine the cause of St Chrysostom: *Those of Constantinople — did cause them to be dismissed with disgrace, as molesting a government beyond their bounds*<sup>k</sup>.

4 Even in the Western parts, after that the Pope had wriggled himself into most countries there, so as to obtain sway in their transactions, yet he in divers places did not meddle in ordinations: *We do not, says Pope Leo I., arrogate to ourselves a power of ordaining in your provinces*<sup>l</sup>.

Even in some parts of Italy itself the Pope did not confirm Bishops till the times of Pope Nicholas I., as may be collected from the submission then of the Bishop of Ravenna to that condition: *That he should have no power to consecrate*

<sup>k</sup> Καὶ τοὺς μὲν ἀστεροπίας ἀρχὴν ἔρχλησαντας, ἀτίμως ἐκπεμφθῆναι παρεσκεύασαν. — Sozom. VIII. 28.

<sup>l</sup> Non enim nobis ordinationes vestrarum provinciarum defensimus. — P. Leo. I. Ep. x. [Opp. Tom. I. col. 641.]

*Bishops canonically elected in the Regio Flaminia, unless it were granted him by letters from the Apostolic See<sup>m</sup>.*

And it was not without great opposition and struggling that he got that power otherwhere than in his original precincts, or where the juncture of things did afford him special advantage.

5 If examples would avail to determine right, there are more, and more clear instances of Emperors interposing in the constitution of Bishops than of Popes; as they had ground in reason, and

<sup>1 Kings ii. 35.</sup> authority in Holy Scripture: *And Zadock the priest did the King put in the room of Abiathar.*

Constantine did interpose at the designation of a Bishop at Antioch in the room of Eustathius<sup>n</sup>. Upon Gregory Nazianzen's recess from Constantinople, Theodosius (that excellent Emperor, who would not have infringed right) *did command the Bishops present to write in paper the names of those whom each did approve worthy to be ordained, and reserved to himself the choice of one*; and accordingly they obeying, he, out of all that were nominated, did elect Nectarius<sup>o</sup>. Constantius did deliver the See of Constantinople to Eusebius Nicomediensis<sup>p</sup>. Constantius was angry with Mac-

<sup>m</sup> ——et ne electos etiam canonice in Flaminia Episcopos consecrandi facultatem haberet, nisi id sibi a Sede Apostolica litteris concederetur.—Plat. in Vit. Nichol. I. [p. 262.]

<sup>n</sup> Euseb. de Vit. Const. Tom. III. 59, 60.

<sup>o</sup> Προστάξαντος τοῦ Βασιλέως τοῖς λερεῦσιν, ἐγγράψαι χάρτη τὴν προστηγορίας ὡν ἔκαστοι δοκιμάζουσιν εἰς τὴν χειροτονίαν ἀξίων, ἐστὶ δὲ φυλάξαντος ἐπάντων τοῦ ἕνος τὴν αἵρεσιν — καὶ Νεκτάριος αἱρέτης — Sozom. VII. 8.

<sup>p</sup> Εὐσεβίῳ δὲ τῷ Νικομηδεῖας Ἐπισκόπῳ τὸν Καινοταπιστικὸν θρόνον παρέδωκεν.—Id. III. 4.

nius, because he was ordained without his licence<sup>9</sup>. He rejecting Eleusius and Sylvanus did order her to be substituted in their places<sup>10</sup>. When, before St Ambrose, the See of Milan was vacant, a nod of Bishops there did entreat the Emperor to declare one<sup>11</sup>. Flavianus said to the Emperor Theodosius, *Give forsooth, O King, the See of Anch to whom you shall think good*<sup>12</sup>. The Emperor did call Nestorius from Antioch to the See of Constantinople<sup>13</sup>; and he was, saith Vincentius of Hispania, elected by the Emperor's judgment<sup>14</sup>. The favour of Justinian did advance Menas to the See of Constantinople<sup>15</sup>; and the same did prefer Anthimus thereto<sup>16</sup>. He did put in Pope Vigilius.

In Spain the Kings had the election of Bishops by the decrees of the Council of Toledo<sup>17</sup>.

<sup>9</sup> Οὐ μὴν ὀλλὰ καὶ πρὸς Μακεδόνιον ἔχαλέπαινεν——καὶ δτι πρὸς ἄλλους ἐπιγράψαι, ἔχειρονονθη. —Id. III. 7.

<sup>10</sup> Τοὺς μὲν ἔξηλασε τὸν Ἐκκλησιῶν, ἐτέρους δὲ αὐτὸν κατατίμητο προσέταξε. —Theodor. Eccl. Hist. p. 23. [Opp. Tom. III. 628 B.]

<sup>11</sup> Αὐτὸν η̄ Σύνοδος ἡξίου ψηφίσασθαι——. —Id. IV. 6. [p. 666 B.]

<sup>12</sup> Τοις γάρ τοι δός φε βούλει τὸν Ἀντιοχίων θρόνον, φε Βασιλεῦ. —Id. 23. [p. 737 B.]

<sup>13</sup> Visum est Imperatoribus nullum ordinare de Constantinopoli Ecclesia Pontificem——. Nestorium quasi utilem ad dominum Constantinopolin principes evocaverunt. —Liberat. Brev. p. IV. [apud Bin. Tom. IV. p. 381. c. 2 r.] Cf. Soc. VII. 29.

<sup>14</sup> Quem tanto imperii iudicio electum, tanto sacerdotum studio prosecutum——. —Vinc. Lir. p. 330.

<sup>15</sup> Tunc Papa principis favore Menam pro eo (Anthimo) ordinavit antistitem. —Liberat. Brev. cap. XXI. [Bin. Tom. IV. p. 398. 1 A.]

<sup>16</sup> Οὐτερ καὶ Ἰουστινιανὸς ἐγρακὼς, φε τὸν τῆς βασιλευούσης αὐτὸν ἀνύχιων ἀνεβίβασε θρόνον. —Evag. IV. 38.

<sup>17</sup> Conc. Tolet. XII. cap. 6. [ann. 681] apud Gr. Dist. LXIII. p. 25. [Corp. Jur. Can. Tom. I. p. 86. Unde placuit omnibus pontificibus, Hispanis atque Gallicis, ut, salvo privilegio uniususque provincie, licitum maneat deinceps Toletano Pontifici,

That the Emperor Charles did use to confirm Bishops, Pope John VIII. doth testify, reproving the Archbishop of Verdun, for rejecting a Bishop: *Whom the Clergy and people of the city had chosen, and the Emperor Charles had confirmed by his consent<sup>b</sup>.*

When Macarius, Bishop of Antioch, for Monothelitism was deposed in the Sixth Synod, the Bishops under that throne did request the Presidents of the Synod to suggest another to the Emperor to be substituted in his room<sup>c</sup>.

In Gratian there are divers passages wherein Popes declared, that they could not ordain Bishops to Churches, even in Italy, without the Emperor's leave and licence<sup>d</sup>. As indeed there are also in later times other decrees, (made by Popes of another kidney, or in other junctures of affairs,) which forbid Princes to meddle in the elections of Bishops; as in the Seventh Synod, and in the Eighth Synod as they call it<sup>e</sup>, upon occasion of Photius being placed in the See of Constantino-

quoscumque Regalis potestas elegerit, et jam dicti Toletani Episcopi judicium dignos esse probaverit, in quibuslibet provinciis, & in praecedentium sedibus preficere Praesules, et decedentibus Episcopis eligere successores——.]

<sup>b</sup> Quem clerus et populus civitatis elegerat, piseque memori Carolus Imperator suo consensu firmaverat——. —P. Joh. VIII. Ep. LXX. [Bin. Tom. vii. p. 29. c. 2 A.] [Mans. Conc. Tom. xvii. col. 59 A.]

<sup>c</sup> Αἰτούμεν τὴν ὑμετέραν ἐνδοξότητα τοῦ ἀναγάγει τῷ εὐτεβεστέρῳ καὶ——ήμῶν δεσπότῃ καὶ μεγάλῳ βασιλεῖ, ἔτερον ἀντὶ Μακαρίου——διὰ τὸ μὴ χηρεύειν τὸν τοιούτον θρόνον. —Syn. vi. Act. XII. [Bin. Tom. v. p. 208 E.] [Mans. Conc. Tom. xi. col. 549 A.]

<sup>d</sup> Dist. LXIII. cap. 9. (B. Gregor. I. Ep. iv. 15. ad Joann. Ep. Justin. Illy.) [Corp. Jur. Can. Tom. i. p. 84.] Cf. Dist. LXIII. capp. 16, 18. (P. Leo IV. et P. Steph.) [Corp. Jur. Can. Tom. i. p. 84.]

<sup>e</sup> Dist. LXIII. capp. 1, 2. [Corp. Jur. Can. Tom. i. p. 83.]

e by the power of the Court ; and that of Pope nicholas I.<sup>1</sup>, by which discordance in practice we ay see the consistence and stability of doctrine d practice in the Roman Church.

The Emperors for a long time did enjoy the ivilege of constituting or confirming the Popes: , says Platina, in the Life of Pelagius II., *nothing was then done by the Clergy in electing a Pope, unless the Emperor approved the election<sup>2</sup>.* e did confirm Pope Gregory I. and Pope Aga-  
o.

*Pope Adrian, with his whole Synod, did deliver to Charles the Great the right and power of electing the Pope and ordaining the Apostolic See. He moreover defined that Archbishops and Bishops in every province should receive investiture from him; and that if a Bishop were not commended and invested by the King, he should be consecrated by*

<sup>1</sup> Dist. LXIII. cap. 4. [P. Nichol. I. Lothario Regi.—Porro scias, quia relatum est nobis, quod quicumque ad Episcopatum in Regno te provehendus est, non nisi faventem tibi permittas eligi. Idcirco Apostolica auctoritate sub Divini judicij obtestatione injungimus tibi, ut in Treverensi urbe, et in Agrippina Colonia nullum eligi poteris, antequam relatum super hoc, nostro Apostolatui fiat.—Corp. Jur. Can. Tom. I. p. 83.]

It is a notorious thing, that most princes in the West, in Germany, France, England, did invest Bishops till the time of Pope Gregory VII. when that boisterous man did raise so much stir in Christendom to dispossess them of that right; which they enjoyed, not only as princes, but as founders, patrons, benefactors, protec-  
tors of Churches.

<sup>2</sup> Nihil enim tum a Clero in eligendo Pontifice actum erat, nisi ipsa electionem Imperator approbasset.—Plat. in Vit. Pelag. II. 154.

Cf. Vit. Gregor. I. p. 155. [Is autem cum principis consensus quireretur (at antea dixi) nuncios cum literis miserat, qui Manum obsecrarent, ne pateretur electionem Cleri et populi Ro-  
ani ea in re valere.] Vid. Dist. LXIII. cap. 21. [Corp. Jur. Can. Tom. I. p. 85.]

*none; and whoever should act against this decree, him he did noose in the band of anathema<sup>h</sup>.*

The like privilege did Pope Leo VIII. attribute to the Emperor Otho I.: *We give him, says he, for ever power to ordain a successor and Bishop of the chief Apostolic See, and change Archbishops<sup>i</sup>, &c.; and Platina, in his Life, says, That being weary of the inconstancy of the Romans, he transferred all authority to choose a Pope from the Clergy and people of Rome to the Emperor<sup>k</sup>.*

Now, I pray, if this power of confirming Bishops do by Divine institution belong to the Pope, how could he part with it, or transfer it on others? is not this a plain renunciation in Popes of their Divine pretence?

6 General Synods<sup>l</sup>, by an authority paramount, have assumed to themselves the constitution and confirmation of Bishops. So the Second General Synod did confirm the ordination of Nectarius, Bishop of Constantinople, and of Flavianus, Bishop of Antioch, (*This ordination, say they, the*

<sup>h</sup> Hadrianus autem Papa cum universa Synodo tradiderat Carolo jus et potestatem eligendi Pontificem, et ordinandi Apostolicam Sedem. — Insuper Archiepiscopos et Episcopos per singulas provincias ab eo investiturum accipere definitiv; et ut nisi a Rege laudetur et investiatur Episcopus, a nemine consecretur; et quicunque contra hoc decretum ageret, anathematis vinculo eum in nodavit. — Grat. Dist. LXIII. cap. 22. [Corp. Jur. Can. Tom. I. p. 85.]

<sup>i</sup> — largimur Domino Othoni primo Regi Teutonicorum ejusque successoribus hujus Regni Italiz in perpetuum facultatem successorem, atque summae Sedis Apostolicae Pontificem, ordinandi, ac per hoc Archiepiscopos seu Episcopos, &c. — Ibid. cap. 23. [p. 85.]

<sup>k</sup> Qui statim Romanorum inconstans pertusus auctoritatem omnem eligendi Pontificis a Clero populoque Romano ad Imperatorem transluit. — Plat. in Vit. Leo. VIII. p. 291.

<sup>l</sup> Conc. Const. Sess. XL. [Bin. Tom. VII. P. II. p. 1112.] Conc. Bas. Sess. XXXVII. Bin. Tom. VIII. p. 98.

*ymod generally have admitted<sup>m</sup>),* although the Roman Church did not approve the ordination of *ectarius*, and for a long time after did oppose *at of Flavianus*. So the Fifth Synod, it seemed, did confirm the ordination of *Theophanius*, *ishop of Antioch*. So the Synod of *Pisa* did institute Pope *Alexander V.*; that of *Constance*, Pope *Martin V.*; that of *Basil*, Pope *Felix V.*

7 All Catholic Bishops in old times might, and commonly did, confirm the elections and ordinations of Bishops, to the same effect as Popes may be pretended to have done; that is, by signifying their approbation or satisfaction concerning the orthodoxy of their faith, the attestation to their manners, the legality of their ordination, no Canonical impediment; and consequently by admitting them to communion of peace and charity, and correspondence in all good offices, which they express by returning *κοινωνικαὶ ἐπιστολαὶ* in answer to their Synodical-communicatory letters.

Thus did St Cyprian and all the Bishops of that age confirm the ordination of Pope *Cornelius*, being contested by *Novatian*; as St Cyprian in terms doth affirm: *When the See of St Peter, the sacerdotal chair, was vacant, which by the will of God being occupied, and by all our consents confirmed<sup>n</sup>, &c.—To confirm thy ordination with a greater authority<sup>o</sup>.*

<sup>m</sup> "Ηγέτης ἐνθεομόνος χειροτονίας ἐδέξατο καὶ τὸ τῆς Συνόδου κονών.—  
Theodor. Eccl. Hist. v. 9. [Opp. Tom. III. 717 D.]

<sup>n</sup> —— cum locus Petri et gradus cathedrae sacerdotalis vacaret;  
non occupato de Dei voluntate, atque omnium nostrum consensione  
remato.—Cypr. Ep. lli. (ad Anton.) [Opp. p. 68.]

<sup>o</sup> —— ad comprobandam ordinationem tuam facta auctoritate  
magore.—Id. Ep. xlvi. (ad Corn.) [Opp. p. 59.]

To which purpose, each Bishop did write Epistles to other Bishops, (or at least to those of highest rank,) acquainting them with his ordination and instalment, making a profession of his faith, so as to satisfy them of his capacity of the function.

8 But Bishops were complete Bishops before they did give such an account of themselves; so that it was not in the power of the Pope, or of any others, to reverse their ordination, or dispossess them of their places. There was no confirmation importing any such matter: this is plain; and one instance will serve to shew it; that of Pope Honorius, and of Sergius, Bishop of Constantinople, who speak of Sophronius, Patriarch of Jerusalem; that he was constituted Bishop before their knowledge and receipt of his Synodical letters<sup>8</sup>.

9 If the designation of any Bishop should belong to the Pope, then especially that of Metropolitans, who are the chief Princes of the Church; but this anciently did not belong to him. In Africa the most ancient Bishop of the province (without election) did succeed into that dignity. Where the Metropoles were fixed, all the Bishops of the province did convene, and with the consent of the Clergy, persons of quality, and the commonalty, did elect him<sup>9</sup>. So was St Cyprian, Bishop of

Ῥωφρόνιος ὁ δισιάτατος μοναχὸς, ὁ ταῦτα, ὡς ἐξ ἀκοῆς καὶ μέτρη μεμαθήκαμεν, τῆς Ἱεροσολυμιτῶν χειροτονθεῖς πρόεδρος· οὗτος τῷ αὐτοῦ τὰ ἐξ ἔθους συνοδικὰ μέχρι τοῦ νῦν ἐδεξάμεθα.—Serg. Episc. CP. ad P. Honor. Syn. vi. Act. xii. Bin. Tom. v. p. 198 ε. [Man. Conc. Tom. xi. col. 532 δ.]

Νυνὶ δὲ ἀκούομεν ἐπισκόπουν καθεστῶτος τῆς Ἱεροσολυμιτῶν —  
—P. Honor. ad Serg. Bin. p. 201 ε. [Man. col. 537 ε.]

<sup>9</sup> Metropolitano defuncto, cum in locum ejus alius fuerit subrogandus, provinciales Episcopi ad civitatem metropolitam convenire debebunt, ut omnium Clericorum atque omnium civium

urthage, elected. So Nectarius of Constantinople, Flavianus of Antioch, and Cyril of Jerusalem, as the Fathers of Constantinople tell us. Stephanus and Bassianus, rival Bishops of Ephesus, did pretend to have been chosen, as we w before.

And for confirmation, there did not need any, ere is no mention of any; except that confirmation of which we spake, a consequent approbation of them from all their fellow Bishops, as having no exception against them, rendering them unworthy f communion. In the Synod of Chalcedon it was defined, that the Bishop of Constantinople should have equal privileges with the Bishop of Rome<sup>1</sup>; yet it is expressly cautioned there, that he shall not meddle in ordination of Bishops in any province, that being left to the Metropolitan<sup>2</sup>: for a good time, even in the Western parts, the Pope did not meddle with the constitution of Metropolitans<sup>3</sup>; leaving the Churches to enjoy their liberties.

voluntate discussa ex Presbyteris ejusdem Ecclesiae, vel ex Diaconis optimus eligatur.—P. Leo. Ep. LXXXVIII. *The Metropolitan being dead, when another is to be put in his place, the provincial bishops ought to meet in the metropolitan city, that by the votes of the whole Clergy and citizens, out of the Priests or Deacons of the same church, the fittest person may be chosen.*

<sup>1</sup> Conc. Chalc. Can. XXVIII. [Bin. Tom. III. p. 447 A.] [Mans. ms. Tom. VII. col. 369 B.]

<sup>2</sup> Μηδὲν ἐπικονιόντος ταῖς ἀκείνων χειρονοίαις τοῦ δοκιμάτου ἀρνισθέντος τῆς βασιλίδος Κωνσταντινουπόλεως.—Conc. Chalc. Act. I. Bin. p. 464 B.

<sup>3</sup> Vid. Conc. Aurel. Can. VII. apud De Marc. de Concord. VI. 4. 3. Tom. II. p. 186. In ordinandis Metropolitanis Episcopis iquit Concilium Aurelianense II. Anno DXXXIII habitum) anti-am institutionis formulam renovamus, quam per incuriam omnidis videmus amissam. Itaque Metropolitanus Episcopus a provincialibus Episcopis, Clericis, vel populis electus, congregatis in unum omnibus comprovincialibus Episcopis ordinetur.]

Afterwards, with all other rights, he snatched the collation, confirmation, &c. of Metropolitans.

VII. Sovereigns have a power to censure and correct all inferior magistrates in proportion to their offences; and in case of great misdemeanour, or of incapacity, they can wholly discharge and remove them from their office.

This prerogative therefore he of Rome doth claim<sup>u</sup>, as most proper to himself, by divine sanction: *God Almighty alone can dissolve the spiritual marriage between a Bishop and his Church. Therefore those three things premised (the confirmation, translation, and deposition of Bishops) are reserved to the Roman Bishop, not so much by Canonical constitution, as by Divine institution<sup>x</sup>.*

This power the convention of Trent doth allow him; thwarting the ancient laws, and betraying the liberties of the Church thereby, and endangering the Christian doctrine to be inflected and corrupted to the advantage of Papal interest<sup>y</sup>. But such a power anciently did not by any rule or custom in a peculiar manner belong to the Roman Bishop<sup>z</sup>:

<sup>u</sup> Vid. P. Gelas. I. Ep. xiii. [Bin. Tom. III. p. 640.]

<sup>x</sup> Omnipotens Deus, spirituale conjugium, quod est inter Episcopum et Ecclesiam, suo tantum judicio reservaverit dissolvendum, — et ideo tria haec quae præmisimus, non tam constitutione Canonica, quam institutione Divina soli sunt Romano Pontifici reservata. — P. Innoc. III. [ann. 1198] in Gregor. IX. Decret. Lib. I. Tit. vii. cap. 2. [Corp. Jur. Can. Tom. II. p. 28.]

<sup>y</sup> Causes criminales graviores contra Episcopos, etiam heresi, quod absit, quæ depositione aut privatione dignæ sunt, ab ipso tantum summo Romano Pontifice cognoscantur, et terminantur. — Conc. Trid. Sess. xxiv. cap. 5.

<sup>z</sup> Ἐπίσκοπος καθαιρεῖ πάντα κληρικὸν ἄξιον δυτα καθαιρέσσει, τὴν ἐπισκόπου μόρος γὰρ οὐχ οἶστε. — Const. Ap. viii. 28. [Cot. Pat. Apost. Tom. I. p. 411.] *A Bishop may depose any Clerk who do-*

Premising what was generally touched about jurisdiction; in reference to this branch we remark,

1 The exercising of judgment and censure upon bishops (when it was needful for general good) was ascribed to be done by Synods; provincial or triarchal (diocesan). In them causes were to be discussed, and sentence pronounced against those who had deviated from faith, or committed misdemeanours. So it was appointed in the Synod of Nice<sup>a</sup>; as the African Synod (wherein St Austin was one Bishop) did observe, and urge in their Epistle to Pope Celestine, in those notable words: *Whether they be Clergy of an inferior degree, or whether they be Bishops, the Nicene Decrees have most plainly committed them to the Metropolitan's charge: for they have most prudently and justly discerned, that all matters whatsoever ought to be determined in the places where they do first begin; and that the grace of the Holy Spirit would not be wanting to every particular province*<sup>b</sup>. The same Law was enacted by the Synod of Antioch<sup>c</sup>, by the Synods of Constantinople, Chalcedon, &c.

Thus was Paulus Samosatenus for his error

*vvess it, except he be a Bishop; whom to deprive, one Bishop alone is sufficient.*

<sup>a</sup> Syn. Nic. Can. v. [Bin. Tom. i. p. 341.] [Mans. Conc. Tom. ii. sl. 669 c.]

<sup>b</sup> *Decreta Nicena sive inferioris gradus Clericos, sive ipsos presbiteros, suis Metropolitanis apertissime commiserunt. Prudenter enim, justissimeque providerunt quaecunque negotia in suis casis, ubi orta sunt, finienda; nec unicuique provinciae gratiam Spiritus defuturam.*—Syn. Afr. Ep. ad P. Celest. I [Bin. Tom. i. 927 a.] [Mans. Tom. iv. col. 516 a.]

<sup>c</sup> *Syn. Ant. Can. xv.* [Bin. Tom. i. p. 510.] [Mans. Conc. Tom. ii. sl. 1313 a.]

against the Divinity of our Lord, and for his scandalous demeanour, deposed by the Synod of Antioch<sup>d</sup>. Thus was Eustathius, Bishop of Antioch, (being accused of Sabellianism and of other faults,) removed by a Synod of the same place<sup>e</sup>; the which sentence he quietly did bear<sup>f</sup>. Thus another Eustathius, Bishop of Sebastia, (for his uncouth garb and fond conceits against marriage,) was discarded by the Synod of Gangra<sup>g</sup>. Thus did a Synod of Constantinople abdicate Marcellus, Bishop of Ancyra<sup>h</sup>, for heterodoxy in the point concerning our Lord's Divinity. For the like cause was Photinus, Bishop of Sirmium, deposed by a Synod there, gathered by the Emperor's command<sup>i</sup>. So was Athanasius tried and condemned (although unjustly as to the matter and cause) by the Synod of Tyre<sup>k</sup>. So was St Chrysostom (although most injuriously) deposed by a Synod at Constantinople. So the Bishops at Antioch (according to the Emperor's order) deposed Stephanus, Bishop of that place<sup>l</sup>, for a wicked contrivance against the fame of Euphratas and Vincentius.

In all these condemnations, censures, and depositions of Bishops, (whereof each was of high rank and great interest in the Church,) the Bishop of Rome had no hand, nor so much as a little finger. All the proceedings did go on supposition of the rule and laws, that such judgments were to be passed by Synods.

<sup>d</sup> (Ann. 269.) Euseb. Eccl. Hist. vii. 29, 30.      <sup>e</sup> Soer. i. 24.

<sup>f</sup> 'Ησυχὸν τὴν συκοφαστίαν ἔργυκε.—Soz. ii. 19.

<sup>g</sup> Soer. ii. 43. Soz. iii. 14.

<sup>h</sup> Soer. i. 36.

<sup>i</sup> Soer. ii. 29.

<sup>k</sup> Soer. i. 28.

<sup>l</sup> Theodor. Eccl. Hist. ii. 8. [Opp. Tom. iii. p. 600 B.]

St Chrysostom δεκαπέντε ἐπισκόπους καθεῖλεν—  
posed fifteen Bishops<sup>m</sup>.

2 In some case a kind of deposing of Bishops <sup>Hac sect.</sup> as assumed by particular Bishops, as defenders of <sup>cum iv.</sup> <sup>jungenda.</sup> e faith, and executors of Canons; their deposition insisting in not allowing those to be Bishops, hom for erroneous doctrine, or disorderly behaviour, (notoriously incurred,) they deemed incapable of the office, presuming their places, *ipso facto, void<sup>n</sup>*.

This Pope Gelasius I. proposed for a rule, *That at only a Metropolitan, but every other Bishop, hath a right to separate any persons or any place from the Catholic communion, according to the rule by which his heresy is already condemned<sup>o</sup>*. And upon this account did the Popes for so long time quarrel with the See of Constantinople, because they did not expunge Acacius from the roll of Bishops, who had communicated with heretics<sup>p</sup>. So did St Cyprian reject Marcianus, Bishop of Arles, for adhering to the Novatians<sup>q</sup>. So Athanasius was

<sup>m</sup> Syn. Chalc. Act. xi. [Bin. Tom. III. p. 411 A.] [Mans. Conc. Tom. VII. col. 293 A.]

<sup>n</sup> Γίνεσθαι ἀπὸ πάσης καθολικῆς Ἐκκλησίας δικαιώματος εἶναι σεαυτὸν, μηδεπέργον πρὸς πᾶν ὅτιον τῶν δὲ αἰθεντίας ἵερατικῆς.—P. Celest. in Nest. Syn. Eph. [Bin. Tom. II. p. 195 c.] [Mans. Conc. Tom. IV. col. 1048 B.]

<sup>o</sup> Quod non solum Praesuli Apostolico facere licet, sed cuiuscunq[ue] Pontifici, ut quoslibet et quemlibet locum, secundum regulam hereticois ipsius ante damnatae, a Catholica communione discernant.—P. Gelas. Ep. IV. [Bin. Tom. III. p. 625 A.] [Mans. Conc. Tom. III. col. 17 c.]

<sup>p</sup> Εἶναι οὖν δύχρην τὸν ἐπὶ κακοδοξίᾳ φωραθέντα μηδὲ ἀνέρας ἀρχειων ἐκλησίας, ή διδασκάλου δνομα περιφέρειν.—Conc. Const. sub Agap. Men. Act. I. [Bin. Tom. IV. p. 10 F.] [Mans. Conc. Tom. VIII. I. 894 A.]

<sup>q</sup> Ep. LXVII. [Opp. p. 115.]

said to have deposed Arian Bishops, and substituted others in their places<sup>r</sup>. So Acacius and his complices depose Macedonius and divers other Bishops<sup>s</sup>. And the Bishops of those times, factiously applying a rule taken for granted then, καθεῖλον ἀλλήλοι, *deposed one another*: so Maximus, Bishop of Jerusalem, deposed Athanasius<sup>t</sup>. So Eusebius of Nicomedia threatened to depose Alexander of Constantinople, if he would not admit Arius to communion<sup>u</sup>. Acacius and his complices did extrude Maximus, Bishop of Jerusalem<sup>v</sup>. He also deposed and expelled Cyril of Jerusalem<sup>w</sup>: and deposed many other Bishops at Constantinople<sup>x</sup>. Cyril deposed Nestorius, and Nestorius deposed Cyril and Memnon<sup>y</sup>. Cyril and Juvenalis deposed John of Antioch<sup>b</sup>. John of Antioch, with his Bishops, deposed Cyril and Memnon<sup>z</sup>. Yea after the Synod of Ephesus, John of Antioch, gathering together many Bishops, did depose Cyril<sup>d</sup>. Ste-

<sup>r</sup> Σοz. III. 21.<sup>s</sup> Socr. II. 42.<sup>t</sup> Πρότερον καθεῖλον αὐτὸν (Αθανάσιον).—Socr. II. 24.<sup>u</sup> Εὐστέβιος δὲ Νικομηδεῖας πολλὰ διηπεῖλει αὐτῷ, λέγων ὅτον οὐδέποτε καθεῖσταις αὐτὸν, εἰ μὴ εἰς κοινωνίαν δέξηται τὸν Ἀρειον.—Id. I. 7.<sup>v</sup> Ἀκάκιος μὲν γὰρ καὶ Πατρόφιλος, Μάξιμος τὸν Ἱεροσολήμην δέσποτος.—Id. II. 38.<sup>w</sup> Ο μὲν γὰρ Ἀκάκιος — καθεῖλε τὸν Κύριλλον, καὶ τὸν Ἱεροσολήμην δέσποτον.—Theodor. Hist. Eccl. II. 22. [Opp. Tom. III. p. 634 a.]<sup>x</sup> Σοz. IV. 24.<sup>y</sup> Socr. VII.<sup>b</sup> Κύριλλος δὲ ἄμα καὶ Ἰουθαναλίφ, ἀμυνόμενος τὸν Ἰωάννην καθαιρεῖ καὶ αὐτὸν.—Id. ibid.<sup>c</sup> Ἡ ἀγία Σύνοδος — τοῦτον μὲν καθαιρεῖ διὰ τὰ προεφημένα πάντα, Μέμνονα δέ, ὡς συνεργύν αὐτοῦ.—Act. Syn. Eph. [Bin. Tom. II. p. 380 c.] [Mansi. Conc. Tom. IV. col. 1388 a.]<sup>d</sup> Ως τὸν κακῶν ἡγεμόνας καθεῖλεν ἡναγκάσθημεν.—Ibid. [Bin. p. 320 E.] [Mansi. col. 1277 c.]<sup>e</sup> Ἡ Ιωάννης δὲ καταλαβὼν τὴν ἀρισχειαν, καὶ πολλοὺς συνεγράψας κατειληφότα τὴν ἀλεξάνδρην.—Socr. VII. 34.

hanus, concerning Bassianus: *Because he had entered into the Church with swords—therefore he was expelled out of it again by the Holy Fathers, nth by Leo of Rome, the imperial city, and by Iavrianus; by the Bishop of Alexandria, and also by the Bishop of Antioch<sup>o</sup>. Anatolius of Constantinople did reject Timotheus of Alexandria. Acacius, Bishop of Constantinople, did reject Petrus Fullo<sup>o</sup>.*

<sup>3</sup> St Cyprian doth assert the power of censuring bishops, upon needful and just occasion, to belong to all Bishops, for maintenance of common faith, discipline, and peace: *Therefore, (saith he, writing to Pope Stephanus himself,) dear brother, the body of Bishops is copious, being coupled by the glue of concord, and the band of unity, that if any of our college shall attempt to frame a heresy, or to tear and spoil the flock of Christ, the rest may succour, and like useful and merciful shepherds may gather together the sheep of our Lord into the flock<sup>g</sup>.*

<sup>o</sup> Ἐπειδὴν αὐτὸς ἐπεισῆλθε τῇ ἀγωνάτῃ Ἐκκλησίᾳ μετὰ ξύφων — ἵστη διὰ τοῦτο παρὰ τῶν ἀγίων Πατέρων παρά τε τοῦ δοκιμάτου τῆς θεολογίου τούς Ρέμης Λέοντος, καὶ τοῦ πακαριστάτου Φλανιανοῦ — καὶ παρὰ τοῦ ἐν Ἀλεξανδρείᾳ, καὶ παρὰ τοῦ ἐν Ἀντιοχείᾳ.—Syn. Chalc. Act. XI. Bin. Tom. III. p. 405 c. [Mans. Conc. Tom. VII. col. 280 c.]

<sup>g</sup> Ο πακάριος ἐν ἀγίοις Φλανιανὸς ἐξεύσατο αὐτόν.—Ibid. p. 406 r. [Mans. col. 284 b.]

Cf. Baron. Ann. 457. sect. 34.

<sup>4</sup> P. Felix III. Ep. IV. [Bin. Tom. III. p. 602. c. 1 r.] [Et on solum ab Antiochena Ecclesia, sed ab omni civitate deonet: et firma sit hæc tua depositio a me, et ab his qui unum secum Apostolicum thronum regunt, et ab Acacio Constantinopolitanus Ecclesiae pastore.—Mans. Conc. Tom. VII. col. 1046 p.]

<sup>5</sup> Idcirco enim, frater carissime, copiosum corpus est sacerdotum, concordiae mutuae glutino atque unitatis vinculo copulatum, it si quis ex collegio nostro heretim facere, et gregem Christi acriare, et rastare tentaverit, subveniant ceteri, et quasi pastores itiles et misericordes oves Dominicæ in gregem colligant.—Cypr. Ep. LXVII. (ad Steph.) [Opp. p. 116.]

The like doctrine is that of Pope Celestine I. in his Epistle to the Ephesine Synod<sup>h</sup>.

In matter of faith any Bishop might interpose judgment; Theophilus did proceed to condemn the Origenists<sup>i</sup>, without regard to the Pope.

Epiphanius did demand satisfaction of John of Jerusalem.

4 This common right of Bishops in some cases is confirmed by the nature of such censures, which consisted in disclaiming persons notoriously guilty of heresy, schism, or scandal; and in refusing to entertain communion with them: which every Bishop, as entitled to the common interests of faith and peace, might do<sup>k</sup>.

5 Indeed, in such a case every Christian had a right (yea an obligation) to desert his own Bishop<sup>l</sup>.

<sup>h</sup> Ἀκούσθε ταῦτα παρὰ πάτων εἰς τὸ κοινόν, κύριος ἀδελφοί—οὐ ταῦτα τῇ φροντίδι σφιγγόμεθα οἱ πανταχοῦ, καὶ ἀνὰ πᾶσαν οἰκουμένην τῇ ἑκάτων διαδοχῇ τὸ δόρυ μαρτύρωντες — &c. — Conc. Eph. Act. II. Bin. Tom. II. p. 324 ε. [Mans. Conc. Tom. IV. col. 1284 d.]

Τοιχροῦν περισπούδαστόν ἔστι, καὶ πρακτέον, ὅπως καμάτερ καρῆ τὰ ἐμπιστεύθεντα, καὶ διὰ τῆς ἀποστολικῆς διαδοχῆς ἔως τοῦ πέντε συσχέθεντα, φυλάξωμεν.—Bin. p. 325 Α. [Mans. col. 1285 B.]

<sup>i</sup> Vid. Hier. Ep. LXXXVII. [Opp. Tom. IV. Pars II. col. 689;] et Theoph. ad Epiph. apud Hier. Ep. cxi. [Ibid. col. 829.]

<sup>k</sup> Cf. Cypr. Ep. LXVII. [Opp. p. 115.]

Οσοι παρὰ τοὺς ἐπὶ τῇ πίστει τῶν πατέρων τύπου διατρέπονται, ἀντοῖς ἐπάγουνται τὰ ἐκ τῶν κανόνων ἐπιτίμια.—Thalass. in Syn. Chal. Act. I. Bin. Tom. III. p. 191 Α. [Mans. Tom. VI. col. 909 c.]

Ἐχρῆν γὰρ τὴν ὑμετέραν ἀγάπην μεμημένην τῶν πατρικῶν παρδόσεων, μηδένα συγχωρεῖν τὰ κεκαλυμένα ποιεῖν, ἀλλὰ καὶ εἰ τολμηρὸς φανεῖη, πάση δυνάμει ἐναντιοῦσθαι.—P. Agapet. ad Pet. Hier. Epis. Conc. Constant. sub Agapet. et Men. [Bin. Tom. II. p. 24 Α.] [Mans. Tom. VIII. col. 923 Α.]

<sup>l</sup> Εἰκότες ἡμεῖς ἐπιστάμενοι τὴν τῶν θελεον κανόνων ἀκδίκεσσον ὁρχερῦνται μόνον ἀρμόττειν, τὴν δὲ τὴν δρῆσης πίστεως οὐ μόνον ἵερημένην, ἀλλὰ καὶ παντὶ δρθεδέρῳ Χριστιανῷ.—Mennas, Conc. Constant. Act. I. [Bin. p. 10 Α.] [Mans. Tom. VIII. col. 891 B.]

Plebs obsequens præceptis Dominicis et Deum metuens a peccatore præposito separare se debet.—Cypr. Ep. LXVIII. [Opp. p. 118.]

John of Jerusalem having given suspicion of heresy in faith, St Epiphanius did write letters to the Monks of Palestine not to communicate with her, till they were satisfied of his orthodoxy<sup>m</sup>. on which account St Jerome living in Palestine did decline communication with the Patriarch of Jerusalem; asking him, if it were anywhere said to him, or commanded, that without satisfaction concerning his faith, they were bound to maintain communion with him<sup>n</sup>. So every Bishop, yea every Christian, hath a kind of universal jurisdiction.

6 If any Pope did assume more than was allowed in this case by the Canons, or was common to other Bishops of his rank, it was an irregularity and an usurpation. Nor would examples, if any were producible, serve to justify him, or to ground a right thereto, any more than the extravagant proceedings of other pragmatical and factious Bishops<sup>o</sup>, in the same kind, (whereof so many instances can be alleged,) can assert such a power in any Bishop.

7 When the Pope hath attempted in this way, his power hath been disavowed, as an illegal, and start pretence<sup>p</sup>.

Vid. P. Nich. I. Ep. viii. [Bin. Tom. vi. p. 506, c. 2 E.] [Mansi. I. xv. col. 200 E. Nisi forsitan — de fide tractatum est, quae universalis est, quae omnium communis est, quae non solum ad Clericos, verum etiam ad Laicos, et ad omnes omnino pertinet Christiana.]

<sup>m</sup> Cunctis monachis ab eodem Epiphanio scripta venerunt, ut in satisfactione fidei nullus ei temere communicaret.—Hier. xxxviii. (ad Pammach.) [Opp. Tom. iv. Pars ii. p. 332.]

<sup>n</sup> Alicubine dictum, aut tibi alicubi mandatum est, quod sine satisfactione fidei communionem tuam subiremus?—Ibid. [p. 331.] Quod tibi non communicavimus, fidei est.—Ibid. [p. 333.]

<sup>o</sup> Theophilus, John of Antioch, Dioscorus.

<sup>p</sup> Novam legem introducere putaverunt, ut Orientales Episcopi

8 Other Bishops have taken upon them, when they apprehended cause, to discard and depose Popes. So did the oriental faction at Sardica depose Pope Julius<sup>4</sup> for transgressing, as they supposed, the laws of the Church, in fostering heretics and criminal persons condemned by Synods. So did the Synod of Antioch threaten deposition to the same Pope<sup>5</sup>. So did the Patriarch Dioscorus make show to reject Pope Leo from communion<sup>6</sup>. So did St Hilary anathematize Pope Liberius<sup>7</sup>.

9 Popes, when there was great occasion, and they had a great mind to exert their utmost power, have not yet presumed by themselves, without joint authority of Synods, to condemn Bishops<sup>8</sup>. So Pope Julius did not presume to depose Eusebius of Nicomedia, his great adversary, and so much obnoxious by his patronising Arianism. Pope Innocent did not censure Theophilus and his complices, who so irregularly and wrongfully had extruded St Chrysostom, although much displeased with

ab Occidentalibus judicarentur.—Decret. Syn. Orient. apud Sardicam Episc. in Frag. Hilar. [Frag. III. § 12, Opp. col. 1314<sup>a</sup>.] Vid. de Conc. Sard.

<sup>4</sup> Soz. III. 11.

<sup>7</sup> Soz. III. 8.

<sup>5</sup> Evag. II. 4.

<sup>6</sup> Hilar. Fragm. [Fragm. VI. § 6, Opp. col. 1337 A. Anathema tibi a me dictum, Liberi, et sociis tuis.—Iterum tibi anathema, et tertio, prævaricator Liberi.] [Ibid. § 17, col. 1316 B. Verum ne iterum illos atque iterum rogabamus, ne firma solidaque concuterem, ne subverterent legem, nec jura divina turbarent, ne cuncta confunderent, atque Traditionem Ecclesiae ne quidem modica pace (parte) frustrarent: sed nec novam sectam inducerent, aut Orientibus Episcopis Conciliisque sanctissimis de Occidente venientes aliqua in parte præponerent, etc.]

<sup>8</sup> An qui in hominem Imperatorem peccasse dicebantur, nulla interveniente Synodo dejici debuerunt?—P. Gelas. I Ep. XIII. [Bin. Tom. III. p. 643, c. 2 B.] [Mans. Conc. Tom. VIII. col. 60 E.]

tem; but endeavoured to get a General Synod to do the business. Pope Leo I. (though a man of spirit and animosity sufficient) would not, without assistance of a Synod, attempt to judge Dioscorus, who had so highly provoked him, and given such advantage against him, by favouring Euches, and persecuting the orthodox.

Indeed, often we may presume that Popes would have deposed Bishops, if they had thought it regular, if others commonly had received that opinion, that they could have expected success in their tempting it. But they many times were angry when their horns were short, and shewed their teeth when they could not bite.

10 What has been done in this kind by Popes singly with others, or in Synods, (especially upon advantage, when the cause was just and plausible,) is not to be ascribed to the authority of Popes as such. It might be done with their influence, not by their authority<sup>x</sup>: so the Synod of Sardica (not Pope Julius) cashiered the enemies of Athanasius; so the Synod of Chalcedon (not Pope Leo) deposed Dioscorus; so the Roman Synod (not Pope Cæstine) checked Nestorius; and that of Ephesus

<sup>x</sup> Ἡ δύια Ἀρμαίων Σύνοδος φανερὰ τετύπωκε.—Cyril. ad Joh. i. Conc. Eph. [Bin. Tom. II. p. 197 ε. p. 332 β.]

Ἀποστολικὸς θρόνος, καὶ ἡ σύνοδος αὐτοῦ.—Const. Sacr. in Syn. Bin. Tom. V. p. 11.

Ἀγάθων Ἐπίσκοπος σὺν πάσαις ταῖς συνόδοις ταῖς ἀνηκούσαις τῇ θρῷ τοῦ Ἀποστολικοῦ θρόνου.—Ibid. p. 60 β.

Ἀπόστολος κατὰ δύσιν συνέδον.—Act. Eph. Bin. Tom. II. p. 17.

Sit haec in te fixa damnatio a me, et ab his qui sub me constituti Episcopales Sedes gubernare noscuntur.—P. Felix ad Iunum Antioch. apud Baron. Annal. Eccles. Ann. 483. § 68. n. VIII. p. 434, c. 2.]

deposed him. The whole Western Synod (whereof he was president) had a great sway.

11 If instances were arguments of right, there would be other pretenders to the deposing power. Particular Bishops would have it, as we before shewed.

12 The people would have the power; for they have sometimes deposed Popes themselves, with effect. So of Pope Constantine, Platina telleth us, *At length he is deposed by the people of Rome, being very much provoked by the indignity of the matter*<sup>1</sup>.

13 There are many instances of Bishops being removed or deposed by the imperial authority. This power was, indeed, necessarily annexed to the imperial dignity; for all Bishops being subjects of the Emperor, he could dispose of their persons, so as not to suffer them to continue in a place, or to put them from it, as they demeaned themselves, to his satisfaction or otherwise, in reference to public utility. It is reasonable, if they were disloyal or disobedient to him, that he should not suffer them to be in places of such influence, whereby they might pervert the people to disaffection. It is fit that he should deprive them of temporalties.

<sup>1</sup> Kings ii.  
35.

The example of Solomon deposing Abiathar.

<sup>2</sup> Tandem a Sede dejicitur a populo Romano, ira et indignitate rei percito.—Plat. in Vit. Steph. III. p. 223. Cf. Vit. Leo. VIII. p. 291.

Vit. Anatas. II. p. 131. [Anastasius vero (ut quidam Scriptores referunt) Anastasium Imperatorem excommunicavit, quod Acacio faveret, tametsi postea ipse ab Acacio seductus, dum eum revocare clanculum tentat, Clerum a se graviter alienavit, qui in communione Pontificis tum maxime substraxit: quod etiam sine Catholicorum consensu Photius, Thessalonicensi Diacono commen-  
nicasset, qui tum Acacii errorem imitabatur.]

Constantine M. commanded Eusebius and Theonius to depart out of the cities over which they resided as Bishops<sup>a</sup>.

Constantius deposed Paulus of Constantinople<sup>a</sup>.

Constantius ejected all that would not subscribe to the creed of Ariminum<sup>b</sup>.

The Emperor Leo deposed Timotheus Aelurus, for which Pope Leo did highly commend and banish him<sup>c</sup>.

The Emperors discarded divers Popes.

Constantius banished Pope Liberius, and caused another to be put in his room.

Otho put out John the Twelfth.

Justinian deposed Pope Silverius, and banished Pope Vigilius<sup>d</sup>.

Justinian banished Anastasius, Bishop of

<sup>a</sup> Εὐσέβιον δὲ καὶ θεογόνον φεύγειν προστάξειν ἀς ἐπεισκόπους τοῖς.—Soc. I. 21.

Τότε μὲν οὖν οὗτοι καὶ καθηρέθησαν, καὶ τῶν πολεων ἔξηλάθησαν.—Theodor. Eccl. Hist. I. 19. [Opp. Tom. III. p. 567 D.]

He threatened Athanasius to depose him—'Εάν γάρ γνώ ως παπάδης τινάς αὐτῶν τῆς Ἑκκλησίας μεταποιουμένους, ή ἀπειρέξας τῆς μετόπου, διαστελλά παραντίκα τὸν καθαρήσοντά σε ἐξ ἐμῆς κελεύσω, καὶ τῶν τόπων μεταστήσοντα.—Athanas. Apol. con. Arian. [Opp. Tom. I. p. 178 D.] Cf. Soc. I. 27.

<sup>b</sup> Τὸν Παῦλον σχολάζειν ἐποίησεν.—Socr. II. 7.

<sup>b</sup> Τὴν δὲ ἐκδοσιν τῆς ἀπαγρωθείσης ἐν Ἀρμίνῳ πίστεως, ἐκέλευσεν τὸν περὶ Ἰταλίαν Ἑκκλησίας ἐκπέμπεσθαι, προστάξας τοὺς μὴ βουλαρέους ὑπογράφειν αὐτῇ ἔξεσθαι τὸν Ἑκκλησιῶν, καὶ εἰς τοὺς τύπους οὗτοὺς ἐπέρους ἀντικαθίστασθαι.—Id. II. 87.

<sup>c</sup> [Ἐπὶ τούτοις Τιμόθεος ἔχοις κατακρίνεται.]—Evag. II. 11.

[Quo facto scripuit Imperator Leo duci Alexandrinæ Stile, ut pallerent quidem ab Episcopatu modis omnibus Timotheum.]—Liberat. Brev. cap. xv. [apud Bin. Tom. IV. p. 392, c. 2 E.]

[Sciat igitur clementia vestra omnes Ecclesias Dei cum laude extra exaltare pariter et lætari, quod ab Alexandrinæ Ecclesie Hugo improbus parricida depulsus est.—P. Leo. I. Ep. CLXX. (ad Leon. Imp.) Opp. Tom. I. p. 1432.]

<sup>d</sup> Liberat. Brev. cap. xxii. [apud Bin. Tom. IV. p. 398.]

Antioch<sup>o</sup>; extruded Anthimus of Constantinople, and Theodosius of Alexandria<sup>1</sup>.

Neither, indeed, was any great Patriarch effectually deposed without their power or leave.

Flavianus was supported by Theodosius against the Pope.

Dioscorus subsisted by the power of Theodosius Junior.

The deposition of Dioscorus, in the Synod of Chalcedon, was voted with a reserve of, *If it shall please our most sacred and pious lord<sup>2</sup>*.

In effect the Emperors deposed all Bishops which were ordained beside their general Laws: as Justinian, having prescribed conditions and qualifications concerning the ordinations of Bishops, subjoineth: *But if any Bishop be ordained without using our forementioned constitution, we command you that by all means he be removed from his Bishopric*.

14 The instances alleged to prove the Pope's authority in this case are inconclusive and invalid.

They allege the case of Marcianus, Bishop of Arles<sup>3</sup>; concerning whom (for abetting Novatianism) St Cyprian doth exhort Pope Stephanus, that he

<sup>o</sup> [Γέγραπται δ' οὖν αὐτῷ καὶ συντακτήριος πρὸς τοὺς Ἀποχέλωγος, πυθομένῳ τὸν Ἰουστινιανὸν ἐθέλειν αὐτὸν ἔξοστρακίσαι.]—Epi. IV. 40.

<sup>1</sup> [Ομεις δ' οὖν εἰς ἀντικρὺ τῶν Βασιλέως κελευσμάτων ίστοι—άμφω τῶν οἰκείων ἐξελαβέτην θρόνων.]—Id. IV. 11.

<sup>2</sup> Εἴ παρασταῖ τῷ θεωράτῳ, καὶ εὐσεβεστάτῳ, ἡμῶν δεσπότῃ.—Conc. Chalc. Act. II. [Bin. Tom. III. p. 202 B.] [Manu. Conc. Tom. VI. col. 936 B.]

<sup>3</sup> Si quis autem citra memoratam observationem Episcopus ordinetur, jubemus hunc omnibus modis Episcopatu depelli.—Justin. Novell. CXXIII. cap. 1.

<sup>1</sup> [De depositione multa etiam extant exempla, ac imprimis Cyprianus Lib. III. Ep. 13 [Epist. LXVII. Ed. Bened.] ad Stephanum: Dirigantur in provinciam, &c.—Bell. de S. Pont. II. 18, § 7.]

ould direct letters to the Bishops of Gaul and the people of Arles, that he being for his schismatical behaviour removed from communion, another should be substituted in his room<sup>1</sup>.

The Epistle, grounding this argument, is questioned by a great Critic<sup>k</sup>; but I willingly admit it be genuine, seeing it hath the style and spirit of Cyprian, and suiteth his age, and I see no cause why it should be forged; wherefore, omitting that fence, I answer, that the whole matter being seriously weighed, doth make rather against the Pope's cause than for it; for if the Pope had the sole or sovereign authority of rejecting Bishops, why did the Gaulish Bishops refer the matter to St Cyprian? why had Marcianus himself a recourse to him?

St Cyprian doth not ascribe to the Pope any peculiar authority of judgment or censure, but a common one, which himself could exercise, which all Bishops might exercise: *It is, saith he<sup>l</sup>, our part to provide and succour in such a case; for therefore the body of Priests so numerous, that by joint endeavour they may suppress heresies and schisms.* The case being such, St Cyprian earnestly doth move Pope Stephanus to concur in exercise of discipline on that schismatic, and to prosecute effectually the business by his letters; persuading his fellow-Bishops in France, that they would not

<sup>1</sup> *Dirigantur in provinciam et ad plebem Arelate consistentem te literes, quibus abstento Marciano aliis in ejus locum substitua-*—*Cypr. Ep. LXVII. [Opp. p. 116.]*

<sup>k</sup> *[Launois. Vide Ep. III. 2, p. 170, col. 1.]*

<sup>l</sup> *Cui rei nostrum est consulere, et subvenire*—*Idcirco pius est corpus sacerdotum*—*Quando ipse sit ab universis sacerdotibus judicatus*—*Cypr. Ep. LXVII. [Opp. pp. 115, 6, 117.]*

suffer Marcianus to insult over the College of Bishops<sup>m</sup>; (for to them it seemeth the transaction did immediately belong.) To do thus St Cyprian implieth and prescribeth to be the Pope's special duty, not only out of regard to the common interest, but for his particular concernment in the case<sup>n</sup>; that schism having been first advanced against his predecessors. St Cyprian also (if we mark it) covertly doth tax the Pope of negligence<sup>o</sup>, in not having soon enough joined with himself and the community of Bishops in censuring that delinquent. We may add, that the Church of Arles and Gaul, being near Italy, the Pope may be allowed to have some greater sway there, than otherwhere in more distant places; so that St Cyprian thought his letters to quicken discipline there, might be proper and particularly effectual. These things being duly considered, what advantage can they draw from this instance? doth it not rather prejudice their cause, and afford a considerable objection against it?

We may observe, that the strength of their argumentation mainly consisteth in the words *quibus abstento*; the which (as the drift of the whole Epistle and parallel expressions therein do shew) do signify no more than *quibus efficiatur ut abstento*, which may procure him to be excommunicated; not *quaes contineant abstentionem, which contain excommunication*, as P. de Marca glosseth<sup>p</sup>: although

<sup>m</sup> Quapropter facere te oportet plenissimas literas ad co*scopos* nostros in Galliis constitutos, ne ultra Marcianum—*collegio nostro insultare patiantur*.—Id. Ibid. [p. 115.]

<sup>n</sup> Multo magis tu.—Id. Ibid. [p. 117.]

<sup>o</sup> Quod needum videatur a nobis abstentus.—Id. Ibid. [p. 115.]

<sup>p</sup> [Sed magnificum est quod Cyprianus Stephanum hortatur ut literas in Provinciam—dirigat, quae contineant abstentionem sive excommunicationem Marciani.—De Concord. vii. 1, §6. Tom. II. p. 305.]

mitting that sense, it would not import much, sing only thereby the Pope would have signified consent with other Bishops: wherefore de Marca th no great cause to blame us, that we do not prehend any magnificent thing in this place for the dignity of the Papal See<sup>9</sup>: indeed he hath, must confess, better eyes than I, who can see any sh mighty things there for that purpose.

As for the substitution of another in the room **Marcianus**, that was a consequent of the excommunication; and was to be the work of the Clergy d people of the place; for when by common ligment of catholic Bishops any Bishop was re-~~ted~~, the people did apply themselves to choose other. I adjoin the resolution of a very learn- writer of their communion, in these words: *In this case of Marcianus, Bishop of Arles, if the right of excommunication did belong solely to the Bishop of Rome, wherefore did Faustinus, Bishop of Lyons, advertise Cyprian, Bishop of Carthage, who was so far distant, concerning those very things touching Marcianus, which both Faustinus himself, and other Bishops of the same province, had before sent word of to Stephen, Bishop of Rome, who lived nearest, being moreover of all the Bishops the chief? It must either be said, that it was done because of Stephen's negligence; or, what is more probable, according to the discipline then used in the Church, that all Bishops of neighbouring places, but especially those presiding over the most eminent cities, should join their unsels for the welfare of the Church, and that Christian Religion might not receive the least*

<sup>9</sup> [Hæretici nihil hic magnificum deprehendunt pro Sedis Apostolice dignitate.—Ibid. § 7.]

*damage in any of its affairs whatsoever; hence it was, that in the case of Marcianus, Bishop of Arles, the Bishop of Lyons writ letters to the Bishop of Rome and Carthage; and again, that the Bishop of Carthage, as being most remote, did write to the Bishop of Rome, as being his brother and colleague, who by reason of his propinquity might more easily know and judge of the whole matter.*

The other instances are of a later date, (after the Synod of Nice,) and therefore of not so great weight; yea, their having none more ancient to produce, doth strongly make against the antiquity of this right; it being strange, that no memory should be of any deposed thereby for above three hundred years: but however such as they are, they do not reach home to the purpose.

They allege Flavianus, Bishop of Antioch, deposed by Pope Damasus, as they affirm\*. But it

\* In hac Marciani Episcopi Arelatensis causa, si jus abstinendi excommunicandi competebat soli Episcopo Romano, cur Faustinus Episcopus Lugdunensis Cypriano Episcopo Carthaginensis longe dissito, semel atque iterum significat ea de Marciano, quæ jam utique ipse Faustinus et alii ejusdem provinciae Episcopi nuntiaverant Stephano, proximiori, et omnium Episcoporum principi? Dicendum igitur factum id fuisse aut per negligentiam Stephani; aut quod magis videtur, per disciplinam quæ tunc in Ecclesiæ vigebat, ut omnes quidem in circumpositis locis, sed praesertim urbium clarissimarum Episcopi, in commune consulerent Ecclesiæ viderentque ne quid detrimenti res Christiana Catholica caperent. Itaque super isto Marciani Arelatensis facinore, Lugdunensem Episcopum ad Romanum et Carthaginensem dedisse literas, istam vero ut remotissimum, dedisse vicissim suas ad Romanum, ut fratrem et collegam, qui in propinquuo facilius posset de negotio cognoscere et statuere.—Rigalt. in Cypr. Ep. LXVII. [Observat. p. 101.]

\* Bell. de S. Pont. II. 18, [§ 9. Præterea Flavianum Patriarcham Antiochenum depositus Damasus, ut scribit Theodoretus. Ecd. Hist. v. 23. Et licet Imperator Theodosius niteretur Flavianum in Episcopatu stabilire, tamen jussit eum Romanam pergere ad cassam dicendam. Et Theophilus Alexandrinus per Legatos apud Romanum

wonderful they should have the face to mention at instance; the story in short being this<sup>t</sup>: The ~~eat~~ Flavianus<sup>u</sup> (a most worthy and orthodox Prete, whom St Chrysostom in his Statuary Orations doth so highly commend and celebrate) being substituted in the place of Meletius by the quire of ishops, a party did adhere to Paulinus; and after s decease they set up Evagrius<sup>v</sup>, ordaining him (as heodore, who was best acquainted with passages <sup>1</sup> that side of Christendom, reporteth) against many Canons of the Church<sup>w</sup>. Yet with this party, ne Roman Bishops, not willing to know any of bese things, (three of them in order, Damasus, Stricius, Anastasius,) did conspire, instigating the Emperor against Flavianus, and reproaching him as supporter of a tyrant against the laws of Christ<sup>x</sup>. But the Emperor having called Flavianus to him, and received much satisfaction in his demeanour and discourse, did remand and settle him in his place: *The Emperor, said Theodoret, wondering at his courage and his wisdom, did command him to return home, and to feed the Church committed to him*<sup>y</sup>: at which proceeding when the Romans

Pontificem pro Flaviano intercessit, ut refert Socrates, Hist. v. 15,  
et similem operam navasse Chrysostomum testatur Sozomen. viii. 3.

Demique non ante potuit eum Episcopatum Flavianus tenere,  
nam Romanus Pontifex placatus consensit, et Legatos ejus secundisurum promisit.]

<sup>t</sup> Cf. Theodor. Eccl. Hist. v. 23. [Opp. Tom. iii. p. 736.]

<sup>u</sup> Τῷ μεγάλῳ Φλαβιανῷ χαλεπαινούτες——.—Id. Ibid.

<sup>v</sup> Cf. Socr. v. 15. Soz. viii. 3.

<sup>w</sup> Παρὰ τὸν ἐκκλησιαστικὸν προβεβλημένον θεσμόν.—Ut supra.

<sup>x</sup> Ἀλλ' ὅμως τούτων οὐδὲν εἰδέναι θελήσατες, τὴν Εὐαγγρίου μὲν ιωνίαν ἡσπάσοντο, κατὰ Φλαβιανοῦ δὲ τὰς βασιλικὰς ἐκίνησαν ἀκοάς.  
—Id. Ibid.

<sup>y</sup> Ταύτην αὐτοῦ καὶ τὴν ἀνδρείαν καὶ τὴν σοφίαν θαυμάσας ὁ Βαλέττ, τὴν ἐνεγκοῦσαν καταλαβεῖν, καὶ τὴν ἀγχειρισθεῖσαν ποιμαίνειν  
εὐδρότερον ἀπλενεοντεν.—Id. Ibid. [p. 737.]

afterwards did grumble, the Emperor gave them such reasons and advices, that they complied, and did entertain communion with Flavianus. It is true, that, upon their suggestions and clamours, the Emperor was moved at first to order that Flavianus should go to Rome, and give the Western Bishops satisfaction: but after that he understood the quality of his plea, he freed him of that trouble, and without their allowance settled him in his See.

Here is nothing of the Pope's deposing Flavianus; but of his embracing in a schism this side of a competitor, it being in such a case needful, that the Pope or any other Bishop should choose with whom he must communicate, and consequently must disclaim the other; in which choice the Pope had no good success; not deposing Flavianus, but vainly opposing him; wherefore this allegation is strangely impertinent, and well may be turned against them.

Indeed, in this instance we may see how fallible that See was in their judgment of things, how rash in taking parties and fomenting discords, how pertinacious in a bad cause, how peevish against the common sense of their brethren; (especially considering, that before this opposition of Flavianus the Fathers of Constantinople had, in their letter to Pope Damasus and the Occidental Bishops, approved and commended him to them; highly asserting the legitimateness of his ordination<sup>b</sup>;) in fine, how little their authority did avail with wise

<sup>b</sup> —οἵτε τῆς ἐπαρχίας, καὶ τῆς ἀπατολικῆς διοικήσεως συδραμόντες καρονικῶς ἐχειροτόνησαν —ἔντεσμαν χειροτονίαν εἰδέστο καὶ τὸ τῆς Συνόδου κοινόν.—Id. v. 9. [Opp. Tom. iii. p. 717 D.]

nd considerate persons, such as Theodosius M.  
as.

De Marca<sup>c</sup> representeth the matter somewhat  
therwise out of Socrates; but take the matter as  
ocrates hath it, and it signifieth no more, than  
that both Theophilus and Damasus would not  
ertain communion with Flavianus, as being un-  
ipable of the Episcopal order, for having violated  
is oath, and caused a division in the Church of  
ntioch: what is this to judicial deposition? and  
ow did Damasus more depose him than Theophi-  
us, who upon the same dissatisfaction did in like  
anner forbear communion? whenas, indeed, a wiser  
nd better man than either of them, St Chrysostom,  
id hold communion with him, and did at length  
aith Socrates, not agreeing with Theodoret) recon-  
le him to them both.

They allege the deposition of Nestorius. But  
ho knoweth not, that he was for heretical doc-  
ine deposed in and by a General Synod? Pope  
leistine did, indeed, threaten to withdraw his com-  
munion, if he did not renounce his error<sup>d</sup>. But

<sup>c</sup> De Concord. III. 14, [§ 1. Tom. I. p. 179. Expendenda sunt  
item verba Socratis (Hist. Eccl. v. 15); qui Theophilum a Pon-  
tice Romano contendisse ut propter populi misericordiam, vitium  
dimationis Flavianus dissimularet, quod perinde est ac si dixisset,  
bonum unitatis veniam dandam vitiosæ ordinationi; quam non  
Synodo Occidentalium, sed a Damaso Chrysostomus et Theophi-  
us petiverunt; ut hinc quoque pateat apicem auctoritatis in sola  
omana Sede, quoad dispensationes, tunc temporis viguisse.]

<sup>d</sup> Γιωσκέτω, ὅτι αὐτὸς τὴν ἡμετέραν κοινωνίαν ἔχειν οὐ δυνήσεται,  
———. — P. Celest. ad Cyril. in Conc. Eph. [Bin. Tom. II. p. 181 D.]  
Mans. Conc. Tom. IV. col. 1020 E.]

Παντελῶς ἀπὸ τοῦ συνεδρίου ἡμῶν, καὶ τῆς τῶν Χριστιανῶν Συνόδου  
τελείσθης, ἐάν μὴ εὐθέως τὰ κακῶς εἰρημένα ἵππο στὸ διορθωθῆ. —  
I. Epist. ad Nest. [Bin. p. 186 A.] [Mans. col. 1029 C.]

Ἀπὸ τῆς ἡμετέρας κοινωνίας ἀποχωρίζομεν. — Id. ad Joh. Antioch.  
Bin. p. 196 B.] [Mans. col. 1049 A.]

had not any other Bishop sufficient authority to desert a perverter of the faith? Did not his Clergy do the same, being commended by Pope Celestine for it<sup>o</sup>? Did not Cyril in writing to Pope Celestine himself affirm, that he might before have declared, that he could not communicate with him<sup>1</sup>? Did Nestorius admit the Pope's judgment? No, as the Papal Legates did complain, *He did not admit the constitution of the Apostolical chair*<sup>2</sup>. Did the Pope's sentence obtain effect? No, not any; for, notwithstanding his threats, Nestorius did hold his place till the Synod; the Emperor did severely rebuke Cyril for his fierceness, (and implicitly the Pope,) and did order that no change should be made, till the Synod should determine in the case; not regarding the Pope's judgment: so that this instance may well be retorted, or used to prove the insignificancy of Papal authority then.

They allege also Dioscorus of Alexandria deposed by Pope Leo: but the case is very like to that of Nestorius, and argueth the contrary to what they intend: he was, for his misdemeanours, and violent countenancing of heresy, solemnly in a General Synod accused, tried, condemned, and deposed; the which had long before been done, if in the Pope, his professed and provoked adversary, there had been sufficient power to effect it.

<sup>o</sup> Μακαρία δὲ δμως η ἀγέλη, η παρέσχεν δ Κύριος κρίνει περὶ τῆς ἴδιας ρουμῆς.—Id. ad Cler. et popul. Const. [Bin. p. 190 B.] [Mans. col. 1037 B.]

<sup>1</sup> Εγώ δὲ δμολογῶ, καὶ τοι βουληθεῖσι συνοδικῷ γράμματι φανέονται καταστῆσαι, ὅτι ταῦτα λέγοντι καὶ φρονοῦντι κοινωνῶν οὐ δυνάμεθα.—Cyril. Ep. ad Celest. [Bin. p. 177 D.] [Mans. col. 1013 A.]

<sup>2</sup> Τὸν τύπον τῆς Ἀποστολικῆς καθέδρας οὐκ ἔδεξατο.—Conc. Eph. Act. III. [Bin. p. 331 E.] [Mans. col. 1297 B.] Vid. Theodos. Epist. Ibid. [Bin. pp. 224, 225.]

Bellarmino also allegeth Pope Sixtus III. deposing Polychronius, Bishop of Jerusalem<sup>b</sup>: but no such Polychronius is to be found in the Registers of Bishops then, or in the Histories of that busy time, between the two great Synods of Ephesus and Chalcedon; and the Acts of Sixtus, upon which this allegation is grounded, have so many inconsistencies, and smell so rank of forgery, that no conscientious nose could endure them; and *Any prudent man*, as Binius himself confesseth, *would assert them to be spurious*<sup>i</sup>. Wherefore Baronius<sup>k</sup> himself doth reject and despise them; who gladly would lose no advantage for his master. Yet Pope Nicholas I.<sup>l</sup> doth precede Bellarmine in citing this trash; no wonder, that being the Pope who did avouch the wares of Isidore Mercator.

They allege Timotheus, the usurper of Alexandria, deposed by Pope Damasus; and they have, indeed, the sound of words attesting to them: *these are heads upon which the B. Damasus deposed the heretics Apolinarius, Vitalius, and Timotheus*<sup>m</sup>.

<sup>b</sup> Bell. de S. Pont. II. 18, [§ 10. Episcopum etiam Hierosolitanum Polychronium depositus Sixtus III. — ut patet ex Tomo Conciliorum in Actis Sixti III.]

<sup>i</sup> Bin. Notes in Act. de Polychr. Hier. Accus. [Tom. II. p. 685. adem spuria et illegitima esse, quivis prudens asseruerit.]

<sup>k</sup> Annal. Ecccl. Ann. 433, §§ 38, 39. [Tom. VII. p. 463.]

<sup>l</sup> P. Nich. I. Ep. viii. (ad Mich. Imp.) [Bin. Tom. VI. p. 504, 2 A.] [Hinc Sixtus Apostolicæ Sedis Antistes Euphemium Episcopum damnable describitur, nihil aliud in depositione illius obiit, nisi quod Polychronium — Pontificem suum accusaverit. Et quidem Polychronius a Legatis Sedis Apostolicæ, eo quod Sedem ierosolymitanam primam esse mendaciter affirmabat — Ecclesiæ privatus est gubernaculis et Urbe rejectus. — Mans. Conc. Tom. V. col. 196 c.]

<sup>m</sup> Ταῦτα ἔστι τὰ κεφάλαια, ἐφ' οὓς δὲ τρισμακάριος Δάμασος καθεῖλεν

The truth is, that Apolinarius, with divers of his disciples, in a great Synod at Rome, at which Petrus, Bishop of Alexandria, together with Damasus, was present, was condemned and disavowed for heretical doctrine; whence Sozomen saith, that *The Apolinarian heresy was by Damasus and Peter, at a Synod in Rome, voted to be excluded from the Catholic Church*<sup>n</sup>.

On which account if we conclude, that the Pope had an authority to depose Bishops, we may by like reason infer, that every Patriarch and Metropolitan had a power to do the like; there being so many instances of their having condemned and disclaimed Bishops supposedly guilty of heresy; as particularly John of Antioch, with his Convention of Oriental Bishops, did pretend to depose Cyril and Memnon, as guilty of the same Apolinarian heresy; alleging, that to excind them was the same thing as to settle orthodoxy<sup>o</sup>. The which deposition was at first admitted by the Emperor<sup>p</sup>.

The next instance is of Pope Agapetus<sup>q</sup> (in

Ἀπολινάριον, καὶ Βιτάλιον, καὶ Τιμόθεον τοὺς αἱρετικούς.—Orient. ad Rufum, in Act. Conc. Eph. [Bin. Tom. II. p. 396 B.] [Mans. Conc. Tom. IV. col. 141 A.]

Cf. Facund. Hermian. VII. 3. [inter Opp. Sirmond. Tom. II. col. 609 B.]

<sup>n</sup> Μαθὲν οὖν ταύτην τὴν αἵρεσιν εἰς πολλοὺς ἤριεν πρῶτος Δέματος δὲ Ρωμαίων ἐπίσκοπος, καὶ Πέτρος δὲ Ἀλεξανδρείας, Συνόδου γηράτης ἐν Ρώμῃ, ἀλλοτρίαν τῆς καθολικοῦ Ἑκκλησίας ἐψηφίσαντο.—Sol. VI. 25.

<sup>o</sup> Τὸ δὲ γὰρ τούτους ἐκκόψαι, οὐδὲν ἔτερόν ἔστιν, ἢ τὴν ὀρθοδοξίαν στήσαι.—Relat. Orient. ad Imp. in Act. Conc. Eph. [Bin. Tom. II. p. 380 D.] [Mans. Conc. Tom. IV. col. 1388 B.]

<sup>p</sup> Οθεν καὶ νῦν τὴν γνωρισθένταν παρὰ τῆς Εὐσεβείας ὑμῶν Νεοτορίου, καὶ Κυριλλου, καὶ Μέμφοντος καθαίρεσιν ἐδεξάμεθα.—Epist. Imp. ad Syn. [Bin. p. 385 E.] [Mans. col. 1396 D.]

<sup>q</sup> Bell. de S. Pont. II. 18, [§ 8. Nicolaus I. in Epistola ad

inian's time, for so deep into time is Bellar-  
e fain to dive for it) deposing Anthimus,  
top of Constantinople. But this instance be-  
scanned will also prove slender and lame. The

was this: Anthimus having deserted his  
ge at Trabisonde did creep into the See of  
stantinople, (a course then held irregular and  
gnant to the Canons,) and withal he had im-  
d the Eutychian heresy. Yet for his support  
had wound himself into the favour of the Em-  
s Theodora, a countenancer of the Eutychian  
. Things standing thus, Pope Agapetus (as  
gent from Rome to crave succour against the  
hs, pressing and menacing the city) did arrive  
Constantinople; whereupon the Empress de-  
d of him to salute and consort with Anthimus  
; he, by petitions of the Monks, &c. understand-  
how things stood, did refuse to do so, except  
thimus would return to his own charge, and  
fess the orthodox doctrine". Thereupon the  
peror joined with him to extrude Anthimus  
n Constantinople, and to substitute Mennas:

iaēlem, enumerat octo Patriarchas Constantinopolitanos, quos  
iani Pontifices deposuerunt, inter quos unus fuit Anthimus,  
n Agapetus Papa deposuit, non obstantibus minis Augusti et  
ntze, et loco ejus ipse suis manibus Constantinopoli Mennam  
navit, ut Liberatus scribit in Breviario, cap. xxi. et Zonaras in  
Justiniani.]

Evag. iv. 10. [Η δὲ, μετὰ τῶν ἀπεραντίας οὐσα, τῶν λεγόντων  
φίσιν——.]

Denique petentibus principibus, ut Anthimum Papa in saluta-  
e et communicatione susciperet, ille fieri inquit posse, si se libello  
aret orthodoxum, et ad cathedram suam reverteretur.—Libe-  
Brev. cap. xli. [apud Bin. Tom. iv. 397 f.]

τὰ κατὰ τῆς ἐκκλησίας ἀδέσποτα τολμάμενα μαθὼν——.—Libell.  
ach. Conc. Constant. sub Agap. et Men. Act. i. [Bin. Tom. iv.  
c.] [Mans. Conc. Tom. viii. col. 886 E.]

*He, say the Monks in their libel of request to the Emperor, did justly thrust this Anthimus from the Episcopal chair of this city; your grace affording aid and force both to the Catholic faith and the Divine Canons<sup>t</sup>.* The act of Agapetus was (according to his share in the common interest) to declare Anthimus, in his judgment, uncapable of Catholic communion and of Episcopal function by reason of his heretical opinions, and his transgression of Ecclesiastical orders<sup>u</sup>; which moved Justinian effectually to depose and extrude him: *You, say they, fulfilling that which he justly and canonically did judge, and by your general edict confirming it; and forbidding that hereafter such things should be attempted<sup>v</sup>.* And Agapetus himself saith, that it was done by the Apostolical authority, and the assistance of the most faithful Emperors<sup>w</sup>. The which proceeding was completed by Decree of the Synod under Mennas, and that again was confirmed by the imperial sanction. Whence Evagrius, reporting the story, doth say, concerning Anthimus and Theodosius of Alexandria, that because they did cross the Emperor's commands, and did not

<sup>t</sup> Ἀλλὰ τοῦτο δικαῖος ἔξωθήσας τοῦ τῆσδε τῆς πόλεως ἵερων θρόνου, συνεπαμυρούστης, καὶ συνεπισχυούστης τῇ τε καθολικῇ πόλει τῷ τοῖς θείοις καθότι τῆς ὑμετέρας εὐσέβειας——.——Ibid. Cf. Syn. Decr. [Bin. p. 43 c.] Imper. Constit. [Bin. p. 128 c. D.]

<sup>u</sup> Ἀποφημάνενος——μήτε καθολικοῦ μήτε λεπίων αὐτῷ ἔχει θύρα.——Syn. Decr. [Bin. p. 43 f.] [Mans. col. 966 A.]

<sup>v</sup> Τὰ σὸν παρ' ἔκεινον δικαῖος καὶ κανονικῶς κεκριμένα πληροῦσι, καὶ διὰ γενικῆς ὑμῶν νομοθεσίας ταῦτα κυροῦντες, καὶ τὰ τουάντα τῷ λοιποῦ τολμάσθαι ἀπαγορεύοντες——.——Libell. Monach. [Bin. p. 8c.] [Mans. col. 888 E.]

<sup>w</sup> Τῆς δὲ ἐν Κωνσταντινουπόλει καθέδρας τὴν ὑδρία, βορδουώτες τῷ Θεῷ, τῇ Ἀποστολικῇ αἰθεντίᾳ, καὶ τὸν πιστοτάτων βασιλέων τῇ βορδίᾳ διωρθώσαμεν.——Encycl. Epist. P. Agap. ad Petr. Hier. [Bin. p. 24d.] [Mans. col. 923 B.]

admit the decrees of Chalcedon, they both were excommunicated from their Sees<sup>a</sup>.

It seemeth by some passages in the Acts, that before Agapetus's intermeddling, the Monks and orthodox Bishops had condemned and rejected Anathimus; according to the common interest, which they assert all Christians to have in regard to the common faith.

As for the substitution of Mennas, it was performed by the choice and suffrage of the Emperor, the Clergy, nobles, and people conspiring<sup>b</sup>; the Pope only (which another Bishop might have done) ordaining or consecrating him: *Then, saith Liberatus, the Pope by the Emperor's favour did ordain Mennas Bishop, consecrating him with his hand*<sup>c</sup>: and Agapetus did glory in this<sup>d</sup>, as being the first ordination made of an Eastern Bishop by the hands of a Pope: *And this, said the Pope, we conceive, doth add to his dignity, because the Eastern Church never since the time of the Apostle Peter did receive any Bishop besides him, by the imposition of hands of those who sat in this our chair*<sup>d</sup>.

<sup>a</sup> "Ομως δὲ οὖν ἡς ἀντικρὺ τῶν (ι. ἀντὶ τῶν τοῦ) βασιλέως κεισαράτων ίόντες, καὶ μὴ δεχόμενοι τὰ ἐν Χαλκηδόνι συντεθεμένα ἀμφοτέροις οἰκείων ἐξελαβέτην θρόνον.—Εναγ. IV. 11.

<sup>b</sup> Καὶ ἐπιλογὴ καὶ ψῆφος τῶν εὐσεβεστάτων ἡμῶν βασιλέων, καὶ τοῦ εὐαγγεῖος τῆς ἀγωτάτης Ἐκκλησίας ἀλήρου —.

<sup>c</sup> Tunc Papa principis favore Mennam pro eo ordinavit antitem, consecrav. eum manu sua —.—Liberati Brev. cap. xxl. Bin. Tom. IV. p. 398 A.]

<sup>d</sup> "Ωτινι τῶν γαληνοτάτων βασιλέων ἐπεγέλασιν ἡ ἐπιλογή —.—Incyel. Epist. P. Agap. ad Petr. Hier. [Bin. p. 24 E.] [Mans. col. 23 D.]

<sup>d</sup> Καὶ τοῦτο δὲ πιστεύομεν τῇ αἰτοῦ ἀξίᾳ προστιθέαται, ὅτι περ ἐκ τοῦ χρόνου τοῦ Ἀγοστολοῦ Πέτρου, οὐδένα ἄλλον οἰαδήποτε Ἐκκλησία ἀπατολικὴ ἐδέξατο Ἐπίσκοπον ταῖς χερσὶ τῆς ἡμετέρας καθέδρας προτονηθέντα.—Ibid.

If we compare the proceedings of Agapetus against Anthimus, with those of Theophilus against St Chrysostom; they are (except the cause and qualities of persons) in all main respects and circumstances so like, that the same reason, which would ground a pretence of universal jurisdiction to one, would infer the same to the other.

Baronius<sup>e</sup> allegeth Acacius, Bishop of Constantinople, deposed by Pope Felix III. But Pope Gelasius asserteth<sup>f</sup>, that any Bishop might, in execution of the Canons, have disclaimed Acacius, as a favourer of heretics; and Acacius did not only refuse to submit to the Pope's jurisdiction, but slighted it<sup>g</sup>; and the Pope's act was but an attempt, not effectual; for Acacius died in possession of his See.

VIII. If Popes were Sovereigns of the Church, they could effectually, whenever they should see it just and fit, absolve<sup>h</sup>; restore any

<sup>e</sup> Annal. Eccles. Ann. 484, § 19. [Tom. VIII. p. 447, c. 1.]

<sup>f</sup> Vid. P. Felic. III. Ep. vi. ad Acac. [Bin. Tom. III. p. 604, c. 1 F. Habe ergo cum his, quos libenter amplecteria, portionem ex sententia praesenti, quam per tuse tibi direximus Ecclesiam defensorem: Sacerdotali honore, et communione Catholica, necnon etiam a fidelium numero segregatus, sublatum tibi nomen et munus ministerii sacerdotalis agnoace Sancti Spiritus judicio, et Apostolica auctoritate damnatus, nunquamque anathematis vinculis exuendus.—Mans. Conc. Tom. VII. col. 1055 D.]

<sup>g</sup> P. Gelas. I. Ep. iv. [Itane non perspicit, secundum formam Synodi Chalcedonensis, Acacium fuisse damnatum?—Quod nos solum praesuli Apostolico facere licet, sed cuicunque Pontifici, et quoslibet, et quemlibet locum, secundum regulam haereses ipsius ante damnatae, a Catholica communione discernant.—Mans. Conc. Tom. VIII. col. 17 B.]

<sup>h</sup> Ad cuius praecipue vocatus examen vel venire vel mittere non curavit.—P. Gelas. I. Ep. XIII. [Bin. Tom. III. p. 644, c. 1 B.] [Mans. Conc. Tom. VIII. col. 62 A.]

<sup>h</sup> When a Bishop was unjustly censured upon malice or mis-

hop excommunicated from the Church, or deposed from his office by Ecclesiastical censure: relief of the oppressed, or clemency to the oppressed, are noble flowers in every Sovereign man.

Wherefore the Pope doth assume this power, and serveth it to himself, as his special prerogative: is, says Baronius, *a privilege of the Church of me only, that a Bishop deposed by a Synod may without another Synod of a greater number be received by the Pope*<sup>1</sup>; and Pope Gelasius I. says, that *See of St Peter the Apostle has a right of loosing whatever the sentences of other Bishops have bound*<sup>2</sup>; that *The Apostolic See, according to frequent ancient custom, had a power, no Synod preceding, to absolve those whom a Synod had unjustly condemned, and without a Council to condemn those who deserved it*<sup>3</sup>.

It was an old pretence of Popes, that Bishops were not condemned, except the Pope did consent, absolving communion with them. So Pope Victor saith of St Chrysostom and Flavianus, that *hough they were violently excluded, yet were they*

—when he did repent of his error or miscarriage—when case would upon any account bear favour or pity—.

Privilegium quidem solius Ecclesiae Romanae esse reperitur, depositum a Synodo Episcoporum absque alia Synodo majoris eri restitui possit per Romanum Pontificem.—Baron. Annal. ad Ann. 449, § 129. [Tom. VIII. p. 37, c. 2.]

—Quorumlibet sententiis ligata Pontificum Sedes B. Petri itoli jus habet resolvendi.—P. Gelas. I. Ep. XIII. [Bin. p. 640, c.] [Mans. col. 54 c.]

—Sedes Apostolica frequenter more majorum, etiam sine Synodo precedente, et absolvendi quos Synodus inique damnat, et damnandi nulla existente Synodo quos oportuit, habu-facultatem —.—Ibid. [Bin. p. 640, c. 2 E.] [Mans. col. 54 D.]

*not looked upon as condemned, because the Bishops of Rome always inviolably kept communion with them<sup>m</sup>.* And before him Pope Gelasius saith, that the Pope, by not consenting to the condemnation of Athanasius, Chrysostom, Flavianus, did absolve them<sup>n</sup>. But such a power of old did not belong to him. For,

1 There is not extant any ancient Canon of the Church, nor apparent footsteps of custom, allowing such a power to him.

2 Decrees of Synods (provincial in the former times, and diocesan afterwards) were inconsistent with, or repugnant to such a power; for judgments concerning Episcopal causes were deemed irrevocable, and appointed to be so by decrees of divers Synods; and consequently no power was reserved to the Pope of thwarting them by restitution of any Bishop condemned in them.

3 The Apostolical Canons<sup>o</sup>, (which at least serve

<sup>m</sup> Qui licet violenter exclusi sunt, non tamen pro damnatis sunt habiti, eo quod semper inviolatam eorum communionem Romani Pontifices servaverant.—P. Vigilius in Constit. [Bin. Tom. IV. p. 186, c. 1 B.]

<sup>n</sup> [—— Sanctæ memorię quippe Athanasium Synodus Orientalis addixerat, quem tamen exceptum Sedes Apostolica, quia damnationi Græcorum non consensit, absolvit. Sanctæ memorię nihil minus Johannem Constantinopolitanum Synodus etiam Catholiceorum præsulum certe damnaret, quem simili modo Sedes Apostolica etiam sola, quia non consensit, absolvit; itemque sanctæ memorię Flavianum Pontificum congregatione damnatum, pari tenore, quam sola Sedes Apostolica non consensit, absolvit.]—P. Gelas. I. Ep. XIII. [Bin. p. 640, c. 2 F.] [Mans. col. 54 E.]

<sup>o</sup> Can. Apost. x. XI. XII. XIII.

[Can. IX. Πάντας τοὺς εἰσιόντας πιστούς καὶ τῶν γραφῶν ἀκούοντας, μὴ παραμένοντας δὲ τῇ προτευχῇ καὶ τῇ ἀγίᾳ μεταλήψει, ὡς δράτιον ἐμποιοῦντας τῇ ἐκκλησίᾳ, ἀφορίζεσθαι χρῆ.

Can. x. Εἴ τις ἀκοινωνήτω, κανὸν ἐν οἴκῳ, συνεύξηται, οὗτος ἀφεριζέσθω.

to prove or illustrate ancient custom,) and divers Synodical decrees<sup>P</sup>, did prohibit entertaining communion with any person condemned or rejected by Canonical judgment; without exception, or reservation of power of infringing or relaxing that prohibition; and Pope Gelasius himself says, that *He who had polluted himself by holding communion with a condemned person, did partake of his condemnation*<sup>q</sup>.

4 Whence in elder times Popes were opposed and checked when they offered to receive Bishops rejected in particular Synods. So St Cyprian<sup>r</sup>

Can. XII. Εἴ τις καθηρημένφ κληρικός ὁν ὡς κληρικῷ συνεύξηται, καθαιρεῖσθαι καὶ αὐτός.

Can. XIII. Εἴ τις κληρικός ἡ λαῖς ἀφορισμένος ἡτοι ἀδεκτος, ἀπελθὼν ἐν ἑτέρᾳ πόλει δεχθῆ, ἀνεν γραμμάτων συστατικῶν, ἀφοριζέσθαι καὶ δ δεξάμενος καὶ δ δεχθεῖς, &c.—Bin. Tom. I. p. 7.]

<sup>P</sup> Conc. Nic. Can. V. [Περὶ τῶν ἀκοινωνήτων γενομένων, εἴτε τῶν ἐν τῇ ἀλήρῳ, εἴτε τῶν ἐν λαῖκῷ τάγματος ὑπὸ τῶν καθ' ἑάστην ἐπαρχίαν ἐπισκόπων, κρατεῖται ἡ γρόμη κατὰ τὸν κανόνα τὸν διαγορεύοντα, τοὺς ἵψ' ἑτέρων ἀποβληθέντας, ἵψ' ἑτέρων μὴ προσίσθαι, &c.—Bin. Tom. I. p. 341 D.]

Cod. Can. Eccl. Afr. Can. IX. [—— ὥστε τοὺς ἀξίως τῶν οἰκείων ἀγκλημάτων ἀπὸ τῆς Ἐκκλησίας διωχθέντας, εάν τις ἐπίσκοπος ἡ πρεσβύτερος δέξηται εἰς κοινωνίαν· καὶ αὐτὸς ἔτι μὴν τῷ ἴσφ οὐκλήματε ἀπεύθυνος φαγῇ ἀμα τοῖς τοῦ οἰκείου ἐπισκόπου, τὴν κανονικὴν ψῆφον ἀποφεύγοντα, &c.—Bin. Tom. I. p. 707.]

Cone. Antioch. Can. VI. XV.

[Can. VI. Εἴ τις ὑπὸ τοῦ ἰδίου ἐπισκόπου ἀκοινωνήτος γέγονεν, μὴ πρότερον αἰτὸν παρ' ἑτέρων δεχθῆναι, (εἰ μὴ ὑπὸ αὐτοῦ παραδεχθείη τοῦ ἰδίου ἐπισκόπου) ή συνόδου γενομένης ἀπαντήσας ἀπολογήσεται, πάντας τε τὴν σύνοδον, καταδέξιοτο ἑτέραν ἀπόφασιν.

Can. XVI. Εἴ τις ἐπίσκοπος ἐπὶ τισιν ὀγκλήμασιν καταγορηθεῖς, κριθεῖη ὑπὸ πάντων τῶν ἐν τῇ ἐπαρχίᾳ ἐπισκόπων, πάντες τε σύμφωνοι μίαν κατ' αὐτοῦ ἔξεργυκοιν ψῆφον· τούτον μηκέτι παρ' ἑτέροις δικάζεσθαι, ἀλλὰ μάνειν βεβαίαν τὴν σύμφωνον τῶν ἐπὶ τῆς ἐπαρχίας ἐπισκόπων ἀπόφασιν.—Bin. Tom. I. pp. 506, 510.] Cf. Evag. II. 4.

<sup>q</sup> *Damnati hominis communione pollutus, damnationis ejus factus est particeps.*—P. Gelas. I. Ep. XIII. [Bin. p. 640, c. 1 B.] [Mans. col. 53 A.]

<sup>r</sup> Ep. LXVIII. [Opp. p. 119.]

declared the restitution of Basilides by Pope Stephenus to be null. So the Fathers of the Antiochene Synod did reprehend Pope Julius for admitting Athanasius and Marcellus to communion, or avowing them for Bishops, after their condemnation by Synods. And the Oriental Bishops of Sardica did excommunicate the same Pope for communicating with the same persons. Which instances do shew, that the Pope was not then undoubtedly, or according to common opinion, endowed with such a power.

But whereas they do allege some instances of such a power, I shall premise some general considerations apt to clear the business, and then apply answers to the particular allegations.

I Restitution commonly doth signify no more, than acknowledging a person (although rejected by undue sentence) to be *de jure* worthy of communion, and capable of the Episcopal office; upon which may be consequent an obligation to communicate with him, and to allow him his due character; according to the precept of St Paul, *Follow righteousness, faith, charity, peace, with them that call upon the Lord with a pure heart.*

<sup>2</sup> Tim. ii.  
<sup>22.</sup>

This may be done when any man notoriously is persecuted for the truth and righteousness. Or when the iniquity and malice of pretended judges are apparent, to the oppression of innocence. Or when the process is extremely irregular: as in the cases of Athanasius, of St Chrysostom. And this is not an act of jurisdiction, but of equity and charity, incumbent on all Bishops: and there are promiscuous instances of Bishops practising it. Thus Socrates saith, that Maximus, Bishop of

rusalem, did restore communion and dignity to thanasius<sup>1</sup>. And so Cyril of Alexandria, and John Antioch, being reconciled and reduced to a good understanding of each other, did restore to each other their Sees<sup>2</sup>; rescinding the censures, which in at they had denounced each on other. Which eweth that restitution is not always taken for an t of jurisdiction, wherein one is superior to an her; for those persons were in rank and power -ordinate.

2 Restitution sometime doth import no more an a considerable influence toward the effects of storing a person to communion or office; no judicial act being exercised about the case: *The 'mperor writing that Paulus and Athanasius would be restored to their Sees, availed nothing*<sup>3</sup>—. hat was a restitution without effect.

Thus a Pope's avowing the orthodoxy, or innocence, or worth of a person, after a due information bout them, (by reason of the Pope's eminent rank the Church, and the regard duly had to him,) ight sometimes much conduce to restore a per n; and might obtain the name of restitution, by ordinary scheme of speech.

3 Sometimes persons said to be restored by popes are also said to be restored by Synods, with gard to such instance or testimony of Popes in eir behalf. In which case the judicial restitution,

<sup>1</sup> ἀποδίδωσι καὶ αὐτὸς τὴν κοινωνίαν Ἀθανασίῳ καὶ τὴν ἄξιαν.—  
τ. II. 24.

<sup>2</sup> Ἀλλήλους τοὺς θρόνους ἀπέδοσαν.—Id. VII. 34.

<sup>3</sup> Εσεὶ οὖν πάλι γράψας τοῦ Βασιλέως, ὅστε ἀποδοθῆται λόρ καὶ Ἀθανασίῳ τοὺς οἰκείους τόπους, οὐδὲν πλέον ημύνετο.—Id. 10.

giving right of recovery and completion thereto, was the act of the Synod<sup>x</sup>.

4 When cases were driven to a legal debate, Popes could not effectually resolve without a Synod, their single acts not being held sufficiently valid. So notwithstanding the declarations of Pope Julius in favour of Athanasius, for the effectual resolution of his case the Great Synod of Sardica was convened. So whatever Pope Innocent I. did endeavour, he could not restore St Chrysostom without a General Synod. Nor could Pope Leo restore Flavianus, deposed in the Second Ephesine Synod, without convocation of a General Synod, the which he did so often sue for to the Emperor Theodosius, for that purpose. Pope Simplicius affirmed, that Petrus Moggus, *having been by a common decree condemned as an adulterer, (or usurper of the Alexandrian See,) could not without a Common Council be freed from condemnation*<sup>y</sup>.

5 Particular instances do not ascertain right to the person who assumeth any power; for busy-bodies often will exceed their bounds.

6 Emperors did sometimes restore Bishops. Constantine, as he did banish Eusebius of Nicomedia and others, so he did revoke and restore them; so says Socrates, *They were recalled from banishment by the Emperor's command, and re-*

<sup>x</sup> Note, It is an ordinary style of votes in Synods for the restitution of a Bishop, Restituo, *I restore*.—Vid. Conc. Chalc. Act. 1 [Bin. Tom. III. p. 165, c. 1 E.] That is, I give my vote for his restitution.

<sup>y</sup> Oportebat enim communi decreto damnatum, tanquam adulterum, communi Concilio damnatione liberari.—Liberat. Brev. cap. xviii. [apud Bin. Tom. IV. p. 395, c. 1 A.]

ived their Churches<sup>a</sup>. Theodosius did assert to lavianus his right, whereof the Popes did pretend to deprive him<sup>b</sup>; which did amount to a restitution; (at least to the Romanists, who do assert lavianus to be deposed by the Popes.) Instantius and Priscillianus were by the rescript of the emperor Gratianus restored to their Churches<sup>b</sup>. Justinian did order Pope Silverius to be restored, in case he could prove his innocence<sup>c</sup>.

7 Commonly restitution was not effectual without the Emperor's consent; whence Theoret, although allowed by the Great Synod, did acknowledge his restitution especially due to the Emperor; as we shall see in reflecting on this case.

Now to the particular instances produced for the Pope, we answer:

1 They pretend<sup>d</sup>, that Pope Stephanus did restore Basilides and Martialis, Spanish Bishops, who had been deposed; for which they quote St Cyprian's Epistle, where he says, *Basilides going to Rome imposed upon our colleague, Stephen, who lived a great way off, and was ignorant of the truth*

<sup>a</sup> Ἀπεκλήθησάν τε τῆς ἔξοριας ἐκ βασιλικοῦ προστάγματος, καὶ τὰς οἰκλησίας ἑαυτῶν ἀπέλαβον.—Socr. I. 14.

<sup>b</sup> Theodor. Eccl. Hist. v. 23. [Opp. Tom. III. p. 737 c. —] Ο απειλεύς τὴν ἐνεγκούσαν καταλαβένην, καὶ τὴν ἐγχειρισθείσαν ποιμαίνειν οἰκλησίαν ἀκέλευσε.]

<sup>c</sup> Rescriptum eliciunt, quo calcatis quae prius decreta erant, constitui Ecclesiae jubebantur: hoc freti Instantius et Priscillianus impetravere Hispanias.—Sulp. Sev. II. 63.

<sup>d</sup> Revocari Romanam Silverium jussit, et de literis illis judicium eri, ut—si falsae fuissent probatae, restitueretur Sedi suae.—Aberat. Brev. cap. xxii. [apud Bin. Tom. IV. p. 398, c. 2 A.]

<sup>e</sup> [Denique de restituzione Episcoporum ab aliis depositorum, sunt etiam multa exempla. Nam Cyprianus, &c.—Bell. de S. Pont. II. 18.]

*of the matter; seeking unjustly to be restored to his Bishopric, from which he had justly been deposed<sup>e</sup>.*

But we answer; the Pope did attempt such a restitution by way of influence and testimony, not of jurisdiction; wherefore the result of his act in St Cyprian's judgment was null and blameable<sup>f</sup>; which could not be so deemed, if he had acted as a judge; for a favourable sentence, passed by just authority, is valid, and hardly liable to censure. The Clergy of those places, notwithstanding that pretended restitution, did conceive those Bishops uncapable; and did request the judgment of St Cyprian about it<sup>g</sup>; which argueth the Pope's judgment not to have been peremptory and prevalent then in such cases. St Cyprian denieth the Pope, or any other person, to have power of restoring in such a case; and exhorteth the Clergy to persist in declining the communion of those Bishops<sup>h</sup>. Well doth Rigaltius ask, why they should write to St Cyprian, if the judgment of Stephanus was deci-

<sup>e</sup> Romam pergens Stephanum collegam nostrum longe possum, et gestæ rei ac veritatis ignarum fefellit, ut exambiret reponi se injuste in Episcopatum, de quo fuerat juste depositus.—Ep. LXVIII. [Opp. p. 119.]

<sup>f</sup> Quare etsi aliqui de collegis nostris extiterunt, qui deificam disciplinam negligendam putant —.—Ibid. [p. 120.]

Nec censuræ congruit sacerdotum mobilis atque inconstantis animi levitate reprehendi.—Ep. LV. [p. 87.]

<sup>g</sup> Legimus literas vestras—significantes Basilidem et Martinum—Episcopatum gerere et sacerdotium Dei administrare non oportere; et desiderastis—solicitudinem vestram vel solatio vel auxilio sententia nostræ sublevari — nec personam in ejusmodi rebus accipere, aut aliquid cuiquam largiri potest humana indulgentia, ubi intercedit et legem tribuit divina præscriptio.—Ep. LXVIII. [pp. 117, 118.]

<sup>h</sup> — quantum possumus adhortamur literis nostris ne vos cum profanis et maculatis sacerdotibus communicatione sacrilega misceatis.—Ibid. [p. 121.]

re<sup>i</sup>? and he addeth, that indeed the Spaniards appeal from the Roman Bishop to him of Carage<sup>k</sup>. No wonder, seeing the Pope had no greater authority, and probably St Cyprian had a fairer reputation for wisdom and goodness. Considering which things, what can they gain by this instance? which, indeed, doth considerably make against them.

2 They allege<sup>l</sup> the restitution of Athanasius, and of others linked in cause with him, by Pope Julius: *He, says Sozomen, as having the care of all by reason of the dignity of his See, restored to each his own Church<sup>m</sup>.*

I answer, the Pope did not restore them judicially, but declaratively; that is, declaring his probation of their right and innocence, did admit them to communion. Julius in his own defence did allege, that Athanasius was not legally rejected; so that without any prejudice to the Canons he might receive him<sup>n</sup>; and the doing it upon this account, plainly did not require any act of judgment. Nay it was necessary to avow those Bishops, as suffering in the cause of the common faith. Besides, the Pope's proceeding was taxed, and

<sup>i</sup> Sed cur ad Cyprianum, si potestas infinita penes Romanum?  
—Rigalt. ad Ep. LXVIII. [Observ. p. 103.]

<sup>k</sup> —— datis ad Cyprianum literis appellavere Carthaginensem  
versus Romanum.—Rigalt. [Ibid.]

<sup>l</sup> [Deinde Athanasium Alexandrinum, Paulum Constantinopolitanum, et Marcellum Ancyranum Episcopos a Synodo Orientali propositos Julius I. restituit, ut scribit Gelasius in Ep. ad Episc. Card.; et Sozomen. III. 8.—Bell. de S. Pont. II. 18.]

<sup>m</sup> Οὐα δὲ τῆς πάντων κρητεροῖς αὐτῷ προσηκούσης διὰ τὴν ἀξίαν τοῦ  
ἀντού, ἐκάστῳ τὴν ίδίαν Ἐκκλησίαν ἀπέδωκε.—Soz. III. 8.

<sup>n</sup> Ως δροδόξους αὐτὸν εἰς κοινωνίαν προσήκατο.—Id. III. 8. Cf.  
ulli Epist. apud Athan. Apol. con. Arian. [Opp. Tom. I. p. 148 E, F.]

protested against, as irregular; nor did he defend it by virtue of a general power that he had judicially to rescind the acts of Synods. And, lastly, the restitution of Athanasius and the other Bishops had no complete effect, till it was confirmed by the Synod of Sardica, backed by the imperial authority; which in effect did restore them. This instance therefore is in many respects deficient as to their purpose.

3 They produce Marcellus being restored by the same Pope Julius<sup>o</sup>. But that instance, beside the forementioned defects, hath this, that the Pope was grievously mistaken in the case; whence St Basil<sup>p</sup> much blameth him for his proceeding therein.

4 They cite the restitution of Eustathius (Bishop of Sebastia) by Pope Liberius, out of an Epistle of St Basil, where he says, *What the most blessed Bishop Liberius proposed to him, and to what he consented, we know not; only that he brought a letter to be restored, and upon shewing it to the Synod at Tyana was restored to his See<sup>q</sup>.*

I answer, that restitution was only from an invalid deposition by a Synod of **Arians** at Melitene<sup>r</sup>; importing only an acknowledgment of him, upon approbation of his faith professed by him at Rome; the which had such influence to the satis-

<sup>o</sup> Socr. l. 36.

<sup>p</sup> Ep. LXIX. [Opp. Tom. III. p. 163 A.]

<sup>q</sup> Τίνα μέν ἔστιν ἡ προερέθη αὐτῷ παρὰ τοῦ μακαριωτάτου Ἐπισκόπου Λιθερίου, τίνα δὲ ἡ αὐτὸς συνέθετο ἀγροσύμμετρον πλήρη ἐπιστολὴν ἐκόμισεν ἀποκαθιστώσαν αὐτὸν, ἣν ἀποδείξας τῇ αὐτῇ Τύνα Συνοδῷ ἀποκατέστη τῷ τόπῳ. — [Ep. col. XIII. Opp. Tom. III. p. 406 c.]

<sup>r</sup> Soz. IV. 24.

action of the Diocesan Synod at Tyana, that he was restored. Although, indeed, the Romans were abused by him, he not being sound in faith; for *He now, saith St Basil, doth destroy that faith or which he was received*<sup>5</sup>.

5 They adjoint<sup>6</sup>, that Theodoret was restored by Pope Leo I.; for in the Acts of the Synod of Chalædon it is said, that he did receive his place from the Bishop of Rome<sup>7</sup>.

I answer, the act of Leo did consist in an approbation of the faith, which Theodoret did profess to hold; and a reception of him to communion thereupon<sup>8</sup>; which he might well do, seeing the ground of Theodore's being disclaimed was a misprision, that he (having opposed Cyril's writings, judged orthodox) did err in faith, consenting with Nestorius. Theodore's state before the Second Ephesine Synod is thus represented in the words of the Emperor: *Theodoret, Bishop of Cyrus, whom we have before commanded to mind only his own Church, we charge not to come to the holy Synod, before the whole Synod being met, it shall seem good to them that he come and bear his part in it*<sup>9</sup>. He

<sup>5</sup> Οὗτος νῦν πορθεῖ τὴν πίστιν ἐκείνην ἐφ' ἣ ἐδέχθη.—Ut supra.

<sup>6</sup> [Item de Theodoreto deposito a Synodo II. Ephesina ita agimus in Conc. Chalc. Act. I.: *Ingrediatur et reverendissimus Episcopus Theodoretus, ut sit particeps Synodi, quia restituit ei Episcopatum sanctissimum Archiepiscopus Leo.*—Bell. de S. Pont. II. 18.]

<sup>7</sup> Τὸν οἰκεῖον ἀπολαβὼν τόπον παρὰ τοῦ ἀγωνάτον ἀρχιεπισκόπου ἡ μεγαλωνύμου Ρέμης.—Syn. Chalc. Act. I. [Bin. Tom. III. 64 D.] [Mans. Conc. Tom. VI. col. 592 A.]

<sup>8</sup> Εἰς κοινωνίαν ἐδέξετο.—Act. VIII. [Bin. p. 368 E.]

<sup>9</sup> Θεοδόρητον μὲν τοι τὸν Ἐπίσκοπον τῆς Κύρου πολεως, δν ἡδη αελύσαμεν τὴν ἰδίαν αὐτοῦ μόνη Ἐκκλησίᾳ σχολάζειν, θεοπίζομεν μὴ πρότροφ ἐλθεῖν εἰς τὴν ἀγίαν Σύνοδον, ἐὰν μὴ πάσῃ ἀγίᾳ Συνόδῳ συνελκύσῃ δόξῃ καὶ αὐτὸν παραγενέσθαι, καὶ κοινωνὸν γενέσθαι τῆς αὐτῆς

was not perfectly deposed; as others were, who had others substituted in their places<sup>a</sup>. He was deposed by the Ephesine Synod<sup>a</sup>. The Pope was indeed, ready enough to assume the patronage of so very learned and worthy a man, who in so very suppliant and respectful a way had addressed to him for succour; for whom doth not courtship mollify? And the majority of the Synod (being inflamed against Dioscorus and the Eutychian party) was ready enough to allow what the Pope did in favour of him. Yet a good part of the Synod, (the Bishops of Egypt, of Palestine, of Illyricum,) notwithstanding the Pope's restitution, (that is, his approbation in order thereto,) did stickle against his admission into the Synod: *Crying out, Have pity on us, the faith is destroyed, the Canons proscribe this man, cast him out, cast out Nestorius's master<sup>b</sup>.* So that the imperial agents were fain to compromise the business, permitting him to sit in the Synod, as one whose case was dependent, but not in the notion of one absolutely restored: *Theodore's presence shall prejudice no man, each one's right of impleading being reserved both to you and him<sup>c</sup>.* He therefore was

ἀγιας Συνόδου.—Imp. Theod. Epist. ad Diosc. in Syn. Chalc. Act. I. [Bin. p. 53 D.] [Mans. col. 589 A.]

<sup>a</sup> Pro Theodoreto autem et Eusebio nullus ordinatus est.—Liberat. Brev. cap. xii. [apud Bin. Tom. iv. p. 390, c. 1 A.]

<sup>a</sup> Vid. Conc. Chalc. Part. III. [Bin. p. 490, c. 1 D. Ηες ipsa igitur Sancta Synodus definit, obtinere quidem Fidem, quae Nicæa, &c. —— excludi vero ab Episcopatu non solum —— sed et Theodoretum.—Imp. Theod. Rescript. Mans. Conc. Tom. VII. col. 497 A.]

<sup>b</sup> Ἐξεβόγσας, ἀλεήσατε, η πίστις ἀπόλλυται· οι κακῶντες τούτων ἀ-βάλλονται· τοῦτον ἔξω βάλε· τὸν διδάσκαλον Νεστορίου ἔξω βάλε.—Act. I. [Bin. p. 54 A.] [Mans. col. 598 C.]

<sup>c</sup> Πρόκριμα γάρ ἀπὸ τοῦ παρείναι τὸν εὐλαβέστατον Θεοδόρητο

ot entirely restored, till upon a clear and satisfactory profession of his faith he was acquitted by the judgment of the Synod. The effectual restitution of him proceeded from the Emperor, who repealed the proceedings against him; as himself doth acknowledge: *All these things, says he, has the most just Emperor evacuated<sup>d</sup>—to these things he premised the redressing my injuries<sup>e</sup>*; and the imperial judges in the Synod of Chalceon join the Emperor in the restitution: *Let the most reverend Theodoret enter, and bear his part in the Synod; since the most holy Archbishop Leo and sacred Emperor have restored his Bishopric to him<sup>f</sup>*. Hence it may appear that the Pope's restitution of Theodoretus was only opinionative, rough-baked, incomplete; so that it is but a slim advantage which their pretence can receive from it.

IX. It belongeth to Sovereigns to receive appeals from all lower judicatures, for the final determination of causes; so that no part of his subjects can obstruct resort to him, or prohibit his revision of any judgment.

This power therefore the Pope doth most stiffly assert to himself. At the Synod of Florence, this was the first and great branch of authority, which

ἀδερν γενήσεται, φυλαττομένου δηλονότι μετὰ ταῦτα παντὸς λόγου καὶ μέν, καὶ ἐκείνηφ. —Ibid. [Bin. p. 54 D.] [Mans. col. 592 A.]

<sup>d</sup> Ἀλλὰ ταῦτα πάντα λέλυκεν δὲ γαληνότατος Βασιλεὺς. —Theodor. Ep. cxxxix. [Opp. Tom. III. p. 1013 c.]

<sup>e</sup> Προτέθεικε δὲ τούτοις τῆς ἡμετέρας ἀδικίας τὴν θασιν. —Id. [Ep. xxxviii. p. 1011 c.]

<sup>f</sup> Εἰσίτω καὶ δὲ εὐλαβέστατος Θεοδώρητος, κοινωνήσων τῇ Συνόδῳ ἴστειδάν καὶ ἀπεκατέστησεν αὐτῷ τὴν ἐπισκοπὴν δὲ ἀγιώτατος ἀρχιεπίσκοπος Λέων, καὶ θειότατος καὶ εὐλαβέστατος Βασιλεὺς. —Act. I. [Bin. p. 53 r.] [Mans. col. 589 B.]

he did demand of the Greeks explicitly to avow: *He will* (said his three Cardinals to the Emperor) *have all the privileges of his Church, and that appeals be made to him<sup>g</sup>.* When Pope Alexander III. was advised not to receive an appeal in Becket's case, he replied in that profane allusion: *This is my glory, which I will not give to another<sup>h</sup>.* He hath been wont to encourage all people, even upon the slightest occasions, *iter arripere*, (as the phrase is obvious in their Canon Law,) to run with all haste to his audience: *Concerning appeals for the smallest causes we would have you hold, that the same deference is to be given them for how slight a matter soever they be made, as if they were for a greater<sup>i</sup>.* See, if you please, in Gratian's Decree<sup>k</sup>,

<sup>g</sup> Θέλει τὰ προνόμια πάντα τῆς Ἑκκλησίας αὐτοῦ, καὶ θέλει ὅτι τὴν ἐκκλησίαν——. —Syn. Flor. Sess. xxv. [Bin. Tom. viii. p. 846 b.] [Mans. Conc. Tom. xxxi. col. 1017 E.]

<sup>h</sup> Hæc est gloria mea, quam alteri non dabo.

<sup>i</sup> De appellationibus pro causis minimis interpositis volumus tenere, quod eis pro quacunque levi causa flant, non minus est, quam si pro majoribus fierent, deferendum. —Alex. III. [c. ann. 1175] Ep. ad Vigor. Episc. in Decret. Greg. IX. Lib. ii. tit. 28, cap. 11. [Corp. Jur. Can. Tom. ii. p. 121.]

<sup>k</sup> Decret. ii. Pars. Caus. ii. Qu. 6. capp. 3—6. [Corp. Jur. Can. Tom. i. p. 162, cap. 3. P. Anaclet. (an. 102) Roma ad universos Episcopos. Omnis oppressus libere Sacerdotum (si voluerit) appellat Judicium, et a nullo prohibetur; sed ab his fulciatur, et liberetur. Si autem difficiles cause, aut majora negotia ora fuerint, ad majorem Sedem referantur, &c.

Cap. 4. P. Sextus I. (forte an. 137, Romæ) omn. Rectoribus Eccl. Si quis vestrum pulsatus fuerit in aliqua adversitate, licenter hanc Sanctam et Apostolicam Sedem appellat, et ad eam, quasi ad caput, suffugium habeat, &c.

Cap. 5. P. Sextus II. (c. an. 258, Romæ.) Omnes Episcopi, qui in quibusdam gravioribus pulsantur, vel criminantur causis, quoties necesse fuerit, libere Apostolicam appellant Sedem, atque ad eam, quasi ad matrem confugiant.

Cap. 6. P. Marcellus (an. 309, Roma in Syriam) ad Episc. Antioch. Prov. Ad Romanam Ecclesiam omnes Episcopi, qui

Caus. II. Quæst. 6, where many Papal Decrees (most, indeed, drawn out of the spurious Epistles of ancient Popes, but ratified by their successors, and obtaining for current law) are made for Appeals to the See of Rome.

It was, indeed, one of the most ancient encroachments, and that which did serve most to introduce the rest; inferring hence a title to an universal jurisdiction: *They are the Canons, says Pope Nicholas I. which will that all appeals of the whole Church be brought to the examination of this See, and have decreed that no appeal be made from it, and that thus she judge of the whole Church; but herself goes to be judged by none other*<sup>1</sup>: and the same Pope, in another of his Epistles, says, *The holy Statutes and venerable Decrees have committed the causes of Bishops, as being weighty matters, to be determined by us<sup>m</sup>. As the Synod has appointed and usage requires, let greater and difficult cases be always referred to the Apostolic See<sup>n</sup>*, says Pope Pelagius II. *They are the Canons which will have the appeals of the whole Church tried by this See<sup>o</sup>,* saith Pope Gelasius I.

*voluerint, vel quibus necesse fuerit, quasi ad caput suffugere, cumque appellare debent, ut inde accipient tuitionem atque consecrationem.]*

<sup>1</sup> *Ipsi sunt Canones, qui appellationes totius Ecclesiae ad hujus Sedis examen voluere deferri. Ab ipsa vero nusquam prorsus appellari debere sanxerunt, ac per hoc illam de tota Ecclesia judicare, quam ad nullius commeare judicium.*—P. Nich. I. Ep. VIII. [Bin. Tom. VI. p. 511, c. 2 B.] [Mans. Conc. Tom. XV. col. 210 B.]

<sup>m</sup> *Sacra Statuta, et veneranda Decreta Episcoporum causas, ut iuste majora negotia, nostra definiendas censuræ mandarunt.*—Id. Ep. XXXVIII. [Bin. p. 566, c. 1 E.] [Mans. col. 687 A.]

<sup>n</sup> *Majores vero et difficiles quæstiones (ut Sancta Synodus statuit, et beata consuetudo exigit) ad Sedem Apostolicam semper referantur.*—P. Pelag. II. Epist. VIII. [Bin. Tom. IV. p. 478 D.] [Mans. Conc. Tom. IX. col. 904 C.]

<sup>o</sup> *Ipsi sunt Canones, qui appellationes totius Ecclesiae ad hujus*

But this power is upon various accounts unreasonable, grievous, and vexatious to the Church; as hath been deemed, and upon divers occasions declared, by the ancient Fathers, and grave persons in all times; upon accounts not only blaming the horrible abuse of Appeals, but implying the great mischiefs inseparably adherent to them. The Synod of Basil thus excellently declared concerning them: *Hitherto many abuses of intolerable vexations have prevailed, whilst many have too often been called and cited from the most remote parts to the court of Rome, and that sometime for small and trifling matters, and with charges and trouble to be so wearied, that they sometime think it their best way to recede from their right, or buy off their trouble with great loss, rather than be at the cost of suing in so remote a country*<sup>p</sup>.

St Bernard complaineth of the mischiefs of Appeals in his times, in these words: *How long will you be deaf to the complaints of the whole world, or make as if you were so? Why sleep you? When will the consideration of so great confusion and abuse in Appeals awake in you? They are made without right or equity, without due order, and against custom. Neither place, nor manner, nor time, nor cause, nor person, are considered: they*

*Sedis examen voluere deferri.—P. Gelas. I. Ep. iv. [Bin. Tom. III. p. 625, c. 1 c.] [Mans. Conc. Tom. VIII. col. 17 D.]*

<sup>p</sup> *Inoleverunt autem hactenus intolerabilium vexationum abusus permulti, dum nimium frequenter a remotissimis etiam partibus ad Romanam Curiam, et interdum pro parvis et minutis rebus ac negotiis quamplurimi citari, et evocari consueverunt, atque ita expensis et laboribus fatigari, ut nonnunquam commodius arbitrentur juri suo cedere, aut vexationem suam gravi damno redimere, quam in tam longinqua regione litium subire dispendia, &c.—Conc. Basil. Sess. XXXI. [Bin. Tom. VIII. p. 86, c. 1 c.] [Mans. Conc. Tom. XXX. col. 159 B.]*

*everywhere made lightly, and, for the most part, sly<sup>4</sup>:* with much more passionate language to same purpose.

But in the primitive Church the Pope had no power.

Whereas in the first times many causes and differences did arise, wherein they who were condemned and worsted would readily have resorted ther, where they might have hoped for remedy, some had been such a place of refuge, it would have been very famous for it; and we should find history full of such examples; whereas it is very t about them.

The most ancient customs and Canons of Church are flatly repugnant to such a power; they did order causes finally to be decided in province. So the Synod of Nice did decree; as African Fathers did allege, in defence of their sal to allow Appeals to the Pope: *The Nicene rees, said they, most evidently did commit both germen of inferior degrees and Bishops to their ropolitans*<sup>5</sup>. So Theophilus in his Epistle: *I ouse you are not ignorant what the Canons of the me Council command, ordaining that a Bishop ld judge no cause out of his own district*<sup>6</sup>.

Quousque murmur universæ terræ aut dissimulas, aut non ad-  
? Quousque dormitas? Quousque non evigilat consideratio  
l tantam appellationum confusionem atque abusionem? Præ-  
s et fas, præter morem et ordinem flunt. Non locus, non  
i, non tempus, non causa discernitur, aut persona. Præsu-  
ir leviter passim, plerumque et nequiter.—De Consid. III. 2.  
Tom. IV. fol. 11.]

Decreta Nicena sive inferioris gradus Clericos, sive ipsos Epi-  
s suis Metropolitanis apertissime commiserunt.—Syn. Afr. in  
d P. Celest. [Bin. Tom. I. p. 927 B.] [Mans. Conc. Tom. IV.  
16 A.]

Arbitror te non ignorare quid præcipiant Niceni Concilii

3 Afterward, when the diocesan administration was introduced, the last resort was decreed to the Synods of them, (or to the Primates in them,) all other appeals being prohibited; *As dishonourable to the Bishops of the Diocese; reproaching the Canons, and subverting Ecclesiastical order*<sup>t</sup>: to which Canon the Emperor Justinian referred: *For it is decreed by our ancestors, that against the sentence of these Prelates there should be no appeal*<sup>u</sup>. So Constantius told Pope Liberius: *That those things which had a form of judgment passed on them could not be rescinded*<sup>x</sup>. This was the practice (at least in the Eastern parts of the Church) in the time of Justinian; as is evident by the Constitutions extant in the Code and in the Novels<sup>y</sup>.

4 In derogation to this pretence, divers provincial Synods<sup>z</sup> expressly did prohibit all appeals from their decisions. That of Milevis: *Let them appeal only to African Councils or the Primates of provinces; and he who shall think of appealing beyond sea, let him be admitted into communion by*

Canones, sancientes Episcopum non judicare causam citra terminus suos.—Pallad. cap. vii.

<sup>t</sup> Note, That the Synod of Constantinople, mentioning Appeals to the Emperor, secular judicatories, a General Synod, saith: Πάντα ἀγράστας τοὺς τῆς διοικήσεως Ἐπισκόπους· τὸν τοιούτον τὸ παρόντα ἡ κατηγορίαν μὴ εἴναι δεκτὸν, ὡς καθυβρίσαντα τοὺς κανόνας, καὶ τὴν ἡλησιαστικὴν λυμηγνάμενον εὐταξίαν.—Can. vi. [Bin. Tom. I. p. 662.] [Mans. Conc. Tom. II. col. 564 A.] Vid. Can. II. [Bin. p. 664.] Conc. Chalc. Can. IX. XVII. [Bin. Tom. III. pp. 442, 444.]

<sup>u</sup> Nam contra horum antistitum sententias non esse locum apellationi a majoribus nostris constitutum est.—Cod. Lib. I. Tit. 4. cap. 29.

<sup>x</sup> Τὰ ἥδη τύπον ἐσχηκότα ἀναλύεσθαι οὐ δυνατόν ἐστι.—Theodor. Eccl. Hist. II. 13. [Opp. Tom. III. p. 608 D.]

<sup>y</sup> Cod. Lib. I. Tit. 4. cap. 29. Vid. Græc. Nov. cxxiii. cap. 22.

<sup>z</sup> Conc. Antioch. Can. XII. XV. [Bin. Tom. I. pp. 508, 510.] [Mans. Tom. II. col. 1314 B, E.] Con. Carth. Can. XXXI. [Bin. p. 719.]

*ne in Afric<sup>a</sup>. For if the Nicene Council took  
s care of the inferior Clergy, how much more  
d they intend it should relate to Bishops also<sup>b</sup>?*

5 All persons were forbidden to entertain communion with Bishops condemned by any one church; which is inconsistent with their being allowed relief at Rome.

6 This is evident in the case of Marcion, by the insertion of the Roman Church at that time.

7 When the Pope hath offered to receive Appeals, to meddle in cases before decided, he hath found opposition and reproof. Thus when Felicissimus and Fortunatus, having been censured and rejected from communion in Afric, did apply themselves to Pope Cornelius, with supplication to be admitted by him; St Cyprian<sup>c</sup> maintaineth that fact to be irregular and unjust, and not to be countenanced, for divers reasons. Likewise, when Basilides and Martialis, being for their crimes deposed in Spain, had recourse to Pope Stephanus for restitution, the Clergy and people there had no regard to the judgment of the Pope; the which their resolution St Cyprian<sup>d</sup> did commend and encourage.

When Athanasius, Marcellus, Paulus, &c. having

<sup>a</sup> Non provocent nisi ad Africana Concilia, vel ad Primates præclarum suarum. Ad transmarinus autem qui putaverit appellatum, a nullo intra Africam in communionem suscipiatur.—Conc. lev. II. cap. xxii. [Bin. Tom. I. p. 868 B.] [Mans. Conc. Tom. IV. l. 332 D.]

Vid. Conc. Afr. cap. LXXII. [Bin. Tom. I. p. 921 c. Quicumque temp non communicant in Africa, si in transmarinis ad communidum obrepserint jacturam clericatus excipiant.—Mans. Conc. m. IV. col. 503 A.]

<sup>b</sup> Nam et si de inferioribus Clericis vel laicis videtur ibi (in Concio Niceno) præcaveri, quanto magis hoc de Episcopis voluit obvari.—Ib. cap. cv. (vel Ep. Conc. Afr. ad P. Celest.) [Bin. 927 A.] [Mans. Tom. IV. col. 516 A.]

<sup>c</sup> Ep. LV. ad Cornel.

<sup>d</sup> Ep. LXVIII.

been condemned by Synods, did apply themselves for relief to Pope Julius; the Oriental Bishops did highly tax this course as irregular; disclaiming any power in him to receive them, or meddle in their cause. Nor could Pope Julius by any law or instance disprove their plea; nor did the Pope assert to himself any particular authority to revise the cause, or otherwise justify his proceeding, than by right common to all Bishops of vindicating right and innocence, which were oppressed; and of asserting the faith, for which they were persecuted. Indeed, at first the Oriental Bishops were contented to refer the cause to Pope Julius as arbitrator; which signifieth that he had no ordinary right; but afterward, either fearing their cause or his prejudice, they started, and stood to the canonicalness of the former decision.

The contest of the African Church with Pope Celestine, in the cause of Apiarius, is famous; and the reasons which they assign for repelling that appeal are very notable and peremptory<sup>6</sup>.

8 Divers of the Fathers allege like reasons against appeals. St Cyprian<sup>7</sup> allegeth these:

(1) Because there was an Ecclesiastical law against them.

(2) Because they contain iniquity; as prejudicing the right of each Bishop granted by Christ, in governing his flock.

(3) Because the Clergy and people should not be engaged to run gadding about<sup>8</sup>.

<sup>6</sup> [Cf. Epist. Conc. Afric. ad P. Celest. I. Bin. Tom. I. p. 927.]

<sup>7</sup> Refer ad sect. VII. Vid. supr.

<sup>8</sup> Oportet utique eos quibus præsumus non circumcursare, nec Episcoporum concordiam cohærentem sua subdola et fallaci temeritate collidere, sed agere illic causam suam, ubi et accusatores habere, et testes sui criminis possint.—Cypr. Ep. LV. [Opp. p. 86.]

(4) Because causes might better be decided here, where witnesses of fact might easily be had.

(5) Because there is everywhere a competent authority, equal to any that might be had elsewhere.

(6) Because it did derogate from the gravity of Bishops to alter their censure —.

(7) Pope Liberius desired of Constantius that the judgment of Athanasius might be made in Alexandria for such reasons, because *There the accused, the accusers, and their defender were<sup>b</sup>.*

(8) St Chrysostom's argument against Theophilus meddling in his case may be set against Rome as well as Alexandria.

9 St Austin, in matter of appeal, or rather of reference to candid arbitration, (more proper for Ecclesiastical causes,) doth conjoin other Apostolical Churches with that of Rome: *For the business, says he, was not about Priests and Deacons, or the inferior Clergy, but the colleagues, [Bishops,] who may reserve their cause entire for the judgment of their colleagues, especially those of the Apostolical Churches<sup>1</sup>.* He would not have said so, if he had apprehended that the Pope had a peculiar right of revising judgments.

10 Pope Damasus (or rather Pope Siricius) doth affirm himself incompetent to judge in a case which had been afore determined by the Synod of Capua: *But, says he, since the Synod of Capua*

<sup>b</sup> — ἔνθα δὲ ἐγκαλούμενος, καὶ οἱ ἐγκαλοῦντες εἰσι, καὶ δὲ ἀντιούμενος αὐτῶν —.—Theodor. Eccl. Hist. II. 13. [Opp. Tom. III. 608 c.]

<sup>1</sup> Neque enim de Presbyteris aut Diaconis, aut inferioris ordinis clericis, sed de collegis agebatur, qui possent aliorum collegarum idilio, præsertim Apostolicarum Ecclesiarum, causam suam integrum reservare.—Aug. Ep. clxii. [Ep. xlvi. Opp. Tom. II. col. 1 f.]

*has thus determined it, we perceive we cannot judge it<sup>k</sup>.*

11 Anciently there were no Appeals (properly so called, or jurisdictional) in the Church; they were, as Socrates telleth us, introduced by Cyril of Jerusalem; who first did appeal to a greater judicature, against Ecclesiastical rule and custom<sup>l</sup>. This is an argument, that about that time (a little before the great Synod of Constantinople) greater judicatories, or Diocesan Synods, were established; wheras before Provincial Synods were the last resorts.

12 Upon many occasions appeals were not made to the Pope, as in all likelihood they would have been, if it had been supposed that a power of receiving them did belong to him. Paulus Samosate-nus did appeal to the Emperor. The Donatists did not appeal to the Pope, but to the Emperor<sup>m</sup>. Their cause was by the Emperor referred, not to the Pope singly, (as it ought to have been, and would have been by so just a prince, if it had been his right,) but to him and other judges as the Emperor's commissioners<sup>n</sup>. Athanasius did first appeal to the Emperor. St Chrysostom did request the Pope's succour, but he did not appeal to him as judge;

<sup>k</sup> *Sed cum hujusmodi fuerit Concilii Capuensis judicium—advertisimus quod a nobis judicandi forma competere non posset.*

<sup>l</sup> *Καθαιρεθεὶς δὲ οὖν ὅμως ἐκκλήγοντο βιβλίον τοῖς καθελούσι διεμψήμενος μεῖζον ἐπεκαλέσατο δικαιστήριον.——Τοῦτο μὲν οὖν, μόνον καὶ πρώτος παρὰ τὸ σύνηθες τῷ ἐκκλησιαστικῷ κανόνι Κύριλλος ἦν ησεν, ἐκκλήγοις ὡς ἐν δημοσίῳ δικαιστηρίῳ χρησάμενος.——Soc. II. 40.*

<sup>m</sup> *Illos vero ab Ecclesiastico judicio provocasse ut causam Constantius audiret, &c.——Aug. Ep. CLXII. [Ep. XLIII. col. 90 c.]*

*Ad ipsum Imperatorem appellaverunt.——Aug. de Unit. Ecd. cap. XVI. [cap. XVIII. Opp. Tom. IX. col. 369 c.]*

<sup>n</sup> *Quid quod nec ipse usurpavit; rogatus Imperator judices misit Episcopos qui cum ipso sederent, et de tota illa causa quod justum videretur statuerent.——Id. ibid.*

though he knew him favourably disposed, and the cause sure in his hand; but he appealed to a General Council: the which Innocent himself did receive necessary for decision of that cause<sup>o</sup>.

[There are in History innumerable instances of bishops being condemned and expelled from their sees, but few of Appeals; which is a sign that was not approved remedy in common opinion.]

Eutyches did appeal to all the Patriarchs. *Infra.* Theodore did intend to appeal to all the Western bishops.

13 Those very Canons of Sardica (the most unhappy that ever were made to the Church) which did introduce Appeals to the Pope, do yet upon divers accounts prejudice his claim to an original right, and do upon no account favour that use of them, to which (to the overthrow of all Ecclesiastical liberty and good discipline) they have been exerted. For,

(1) They do pretend to confer a privilege on the Pope; which argueth that he before had no aim thereto.

(2) They do qualify and restrain that privilege in certain cases and forms; which is a sign, that he had no power therein flowing from absolute sovereignty: for it is strange, that they who did pretend to intend so much to favour him should clip his power.

(3) It is not really a power which they grant receiving Appeals in all causes; but a power constituting judges, qualified according to certain conditions, to revise a special sort of causes

<sup>o</sup> Ἀναγκαῖα ἔστι διάγρωσις συνοδικὴ, ἵν καὶ πᾶλαι ἔφημεν συναντέαν. μόνη γάρ ἔστιν ἡτοι δύναται τὰς κινήσεις τῶν τοιούτων καταπλαι καταγύιθεν.—*Soz.* viii. 26.

concerning the judgment and deposition of Bishops. Which considerations do subvert his pretence to original and universal jurisdiction upon Appeals.

14 Some Popes did challenge jurisdiction upon Appeals, as given them by the Nicene Canons, meaning thereby those of Sardica; which sheweth they had no better plea, and therefore no original right. And otherwhere we shall consider what validity those Canons may be allowed to have.

15 The General Synod of Chalcedon (of higher authority than that of Sardica) derived Appeals, at least in the Eastern Churches, into another channel; namely, to the Primate of each Diocese, or to the Patriarch of Constantinople<sup>p</sup>. That this was the last resort doth appear, from that otherwise they would have mentioned the Pope.

16 Appeals in cases of faith or general discipline were, indeed, sometimes made to the consideration of the Pope; but not only to him, but to all other Patriarchs and Primates, as concerned in the common maintenance of the common faith or discipline. So did Eutyches appeal to the Patriarchs.

17 The Pope, even in later times, even in the Western parts, hath found rubs in his trade of Appeals. Consider the scuffle between Pope Nicholas I. and Hincmarus, Bishop of Rhemes<sup>q</sup>.

18 Christian States, to prevent the intolerable vexations and mischiefs arising from this practice, have been constrained to make laws against them: particularly England<sup>r</sup>.

<sup>p</sup> Can. ix. xvii. [Bin. Tom. iii. pp. 442, 444.] [Mans. Conc. Tom. vii. col. 361 b, 365 b.]

<sup>q</sup> Baron. Annal. Eccl. Ann. 865. [§ 29. Tom. xv. p. 25.] Cf. P. Nic. I. Ep. xxxvii. &c.

<sup>r</sup> Vid. Matt. Paris, Ann. 1094. Statutes of provisors, pre-munire, &c.

In the twelfth age Pope Paschal II. complained of King Henry I. that he deprived the oppressed of the benefit of appealing to the Apostolic See<sup>6</sup>. It was one of King Henry I's laws: *None is permitted to cry from thence, no judgment is thence brought to the Apostolic See<sup>7</sup>. Foreign judgments we utterly remove<sup>8</sup>: There let the cause be tried where the crime was committed<sup>9</sup>.* It was one of the grievances sent to Pope Innocent IV.: *That Englishmen were drawn out of the kingdom by the Pope's authority to have their causes heard<sup>10</sup>.*

Nor, in after-times were Appeals by law in any case permitted without the King's leave; although sometimes by the facility of Princes, or difficulty of times, the Roman court (ever importunate and vigilant for its profits) did obtain a relaxation or neglect of laws inhibiting Appeals.

19 There were Appeals from Popes to General Councils very frequently. Vid. The Senate of Paris after the Concordats between Louis XI. and Pope Leo X.

20 By many laws and instances it appeareth, that appellations have been made to the Emperors<sup>11</sup> in the greatest causes; and that without the Pope's reclaiming or taking it in bad part. St Paul did <sup>Acts xxv.</sup> appeal to Cæsar. Paulus Samosatenus did appeal<sup>15.</sup>

<sup>6</sup> Vos oppressis Apostolicæ Sedis appellationem subtrahitis.—Eadm. p. 113.

<sup>7</sup> Nullus inde clamor, nullum inde judicium ad Sedem Apostolicam destinantur.—Ibid.

<sup>8</sup> Peregrina judicia modis omnibus submovemus.—Hen. I. Leg. cap. xxxi.

<sup>9</sup> Ibi semper causa agatur, ubi crimen admittitur.—Ibid.

<sup>10</sup> Quod Angli extra regnum in causis auctoritate Apostolica trahuntur.—Matt. Paris. [Ann. 1245] p. 699, 10.

<sup>11</sup> Πάτερ ψυχή.—Rom. xiii. 1.

to Aurelian<sup>a</sup>. So the Donatists did appeal to Constantine. Athanasius to Constantine<sup>b</sup>. The Egyptian Bishops to Constantine<sup>c</sup>. Priscillianus to Maximus<sup>d</sup>. Idacius to Gratian. So that Canons were made to restrain Bishops from recourse *ad comitatum*.

21 Whereas they do allege instances for appeal, those well considered do prejudice their cause; for they are few, in comparison to the occasions of them, that ever did arise; they are near all of them late, when Papal encroachments had grown; some of them are very impertinent to the cause; some of them may strongly be retorted against them; all of them are invalid. If the Pope originally had such a right, (known, unquestionable, prevalent,) there might have been producible many, ancient, clear, proper, concluding instances. All that Bellarmine (after his own search, and that of his predecessors in controversy) could muster, are these following; upon which we shall briefly reflect: (adding a few others, which may be alleged by them.) He allegeth Marcion, as appealing to the Pope<sup>e</sup>. The truth was, that Marcion, for having corrupted a maid, was by his own father, Bishop of Sinope, driven from the Church<sup>f</sup>; where

<sup>a</sup> Ad Imperatorem appellaverunt.—Aug. de Unit. Eccl. cap. xvi. [Opp. Tom. ix. col. 369 c.]

<sup>b</sup> Athan. Apol. con. Arian. [Opp. Tom. i. p. 202 b.]

<sup>c</sup> Ibid. [p. 196 r.]

<sup>d</sup> Ad principem provocavit.—Sulp. Sev. ii. 64. Id. ii. 63. Cf. P. de Marca, iv. 4. ——.

<sup>e</sup> Bell. de S. Pont. ii. 21. [§ 8. Anno 142 Christi, Pio I. Pontifice, Marcion excommunicatus ab Episcopo suo in Ponto, venit Romam, ut a *Romana Ecclesia* absolveretur, ut Epiphanius refert. Hæres. xlii.]

<sup>f</sup> Ἐξεώτας τῆς Ἐκκλησίας ὑπὸ τοῦ ἴδιου πάτρος.—Epiph. Hær. xlvi. [Tom. i. p. 302 c.]

upon he did thence fly to Rome<sup>g</sup>, there begging admittance to communion, but none did grant it<sup>h</sup>: at which he expostulating, they replied: *We cannot without the permission of thy honourable father do this; for there is one faith, and one concord; and we cannot cross thy father our good fellow-minister*<sup>i</sup>. This was the case and issue: and is it not strange this should be produced for an Appeal, which was only a supplication of a fugitive criminal to be admitted to communion; and wherein is utterly disclaimed any power to thwart the judgment of a particular Bishop or Judge, upon account of unity in common faith and peace? Should the Pope return the same answer to every appellant, what would become of his privilege? So that they must give us leave to retort this as a pregnant instance against their pretence.

He allegeth<sup>k</sup> the forementioned address of Felicissimus and Fortunatus to Pope Cornelius<sup>l</sup>; the which was but a factious circumcursation of desperate wretches; the which, or any like it, St Cyprian argueth the Pope in law and equity obliged not to regard; because a definite sentence was already passed on them by their proper judges in Afric, from whom in conscience and reason there should be no appeal. So Bellarmine would filch

<sup>g</sup> Ἀποδιδράσκει τῆς πόλεως τῆς αὐτῆς καὶ ἀνεισιν εἰς τὴν 'Ρώμην ὑπῆρχε. — Id. [ibid. D.]

<sup>h</sup> Ἐφει συναχθῆναι, καὶ οὐδεὶς αὐτῷ συγκεχώρηκε. — Ibid.

<sup>i</sup> Οὐ δύναμεθα ἀνευ τῆς ἐπιτροπῆς τοῦ τιμίου πατρὸς σοῦ τοῦτο σοῆσαι. μία γάρ ἔστιν ἡ πίστις, καὶ μία ἡ δρόμοια, καὶ οὐ δύναμεθα ποτισθῆναι τῷ καλῷ συλλειπούργῳ πατρὶ τῷ σῷ. — Ibid. [p. 303 c.]

<sup>k</sup> Ibid. [§ 9. Anno 252, Pontifice Cornelio, Fortunatus et Felix in Africa a Cypriano depositi Romam navigaverunt, atque ad Cornelium appellaverunt.]

<sup>l</sup> Cf. Cyp. Ep. lv.

from us one of our invincible arguments against him.

He also allegeth<sup>m</sup> the case of Basilides; which also we before did shew to make against him; his application to the Pope being disavowed by St Cyprian<sup>n</sup>, and proving ineffectual.

These are all the instances which the first three hundred years did afford; so that all that time this great privilege lay dormant.

He allegeth<sup>o</sup> the recourse of Athanasius to Pope Julius; but this was not properly to him as to a judge, but as to a fellow-Bishop, a friend of truth and right, for his succour and countenance against persecutors of him, chiefly for his orthodoxy<sup>p</sup>. The Pope did undertake to examine his plea, partly as arbitrator upon reference of both parties; partly for his own concern, to satisfy himself whether he might admit him to communion. And having heard and weighed things, the Pope denied that he was condemned in a legal way by competent judges; and that therefore the pretended sentence was null; and consequently he did not undertake the cause as upon appeal. But whereas his proceeding did look like an exercise of jurisdiction, derogatory to a Synodical resolution of the case, he was opposed by the Oriental Bishops, as usurping an undue power. Unto which charge

<sup>m</sup> Ibid. [Non diu post, Stephano Pontifice, Basilides in Hispania depositus, *ad Stephanum appellavit.*]

<sup>n</sup> Cf. Cypr. Ep. LXVIII.

<sup>o</sup> Ibid. [§ 10. Anno 350, Julio I. Pontifice, Athanasius ab Orientalibus depositus, *ad Pontificem appellavit*, et ab eo restitutus est ——.]

<sup>p</sup> Διδάσκοντες ἐπὶ καταλύσεως τῆς πίστεως τὰς καθαιρέσσις γενόνται —Socr. II. 20.

he doth not answer directly, by asserting to himself any such authority by law or custom; but otherwise excusing himself<sup>4</sup>. In the issue, the Pope's sentence was not peremptory; until, upon examining the merits of the cause, it was approved for just, as to matter, by the Synod of Sardica<sup>5</sup>. These things otherwhere we have largely shewed; and consequently this instance is deficient.

He allegeth<sup>6</sup> St Chrysostom, as appealing to Pope Innocent I. But if you read his Epistles<sup>7</sup> to that Pope, you will find no such matter; he doth only complain, and declare to him the iniquity of the process against him, not as to a judge, but as to a friend and fellow-Bishop concerned, that such injurious and mischievous dealings should be stopped<sup>8</sup>; requesting from him, not judgment of his cause, but succour in procuring it by a General Synod; to which, indeed, he did appeal, as Sozomen expressly telleth us<sup>9</sup>; and as, indeed, he doth himself affirm<sup>10</sup>. Accordingly Pope Innocent did not assume to himself the judgment of his cause, but did endeavour to procure a Synod for it, affirming

<sup>4</sup> Id. Ibid.

<sup>5</sup> Ωστε (Athanasius et Paulus) τὰ κατ' αὐτοὺς καὶ τὰ τῆς πίστεως ὑπὸ οἰκουμενικῆς Συνόδου τέλος λαβεῖν.—Ibid.

<sup>6</sup> Ibid. [§ 11. Post annum 400, Innocentio I. Pontifice, Chrysostomus a Theophilo depositus *ad Pontificem appellavit*, ut patet ex Epistolis duabus ad Innocentium.]

<sup>7</sup> Opp. Tom. VII. Epist. cxxii. cxxiii. ad P. Innoc. I.

<sup>8</sup> Πρὸς τὴν ὑμετέραν ἀναδραμεῖν ἀγάπην.—Ep. cxxii. [p. 154.]

<sup>9</sup> Παρακαλῶ τὴν ὑμετέραν ἀγάπην διαναστῆναι, καὶ συναλλάγῆσαι, καὶ ἀπτα ποιῆσαι, ὥστε στῆναι ταῦτα τὰ κακά.—Ib. [p. 155.]

<sup>10</sup> Οἰκουμενικὴν ἐπεκαλεῖτο Σύνοδον.—SOZ. VIII. 17.

<sup>11</sup> Ἀλλ' ἀπόντων ἡμῶν καὶ Σύνοδον ἐπικαλούμενων.—Chrys. ubi supra [p. 155].

it to be needful<sup>a</sup>: why so, if his own judgment, according to his privilege, did suffice? Why, indeed, did not Pope Innocent (being well satisfied in the case, yea passionately touched with it) presently summon Theophilus and his adherents, undertaking the trial? Did Pope Nicholas I. proceed so in the case of Rhotaldus? Why was he content only to write consolatory letters to him, and to his people<sup>b</sup>; not pretending to undertake the decision of his cause? If the Pope had been endowed with such a privilege, it is morally impossible that it should not have shone forth clearly upon this occasion; it could hardly be that St Chrysostom himself should not in plain terms avow it; that he should not formally apply to it, as the most certain and easy way of finding relief; that he should not earnestly mind and urge the Pope to use his privilege: why should he speak of that tedious and difficult way of a General Synod, when so short and easy a way was at hand? But the truth is, he did not know any such power the Pope had by himself. St Chrysostom rather did conceive all such foreign judicatures to be unreasonable and unjust; for the argument which he darteth at Theophilus doth as well reach the Papal jurisdiction upon Appeals; for, *It was*, saith he, *not congruous, that an Egyptian should judge those in Thrace*<sup>b</sup>: why not an Egyptian, as well as

<sup>a</sup> Οἰκουμενικὴν δὲ Σύνοδον συναγεῖραι σπουδάζων.—*Soz.* VIII. 26.  
Ἄναγκαιά ἐστι διάγνωσις Συνοδική.—*Ibid.* *Vid.* *Theodor.* *Eod.*  
*Hist.* v. 34.

<sup>b</sup> Ἰννοκέντιος δὲ δὲ 'Ραύμης, καὶ Φαβιανὸς Ἀγιοχείας οὐκ ἐκουσάησαν τῇ ἐκβολῇ Ἰωάννου, ἀλλὰ διὰ γραμμάτων τῆς πόλεως τὸν κλῆρον τερμύθησαν, καὶ ἐνυσχέραινον τοῖς τολμήμασι.—*Soz.* VIII. 26. [?]

<sup>b</sup> Οὐδὲ γάρ ἀκόλουθον ἦν τὸν ἐξ Αἰγύπτου τοῖς ἐν Θράκῃ διεῖσθαι.—*Chrys.* *ubi supra* [p. 155].

an Italian? And, *If*, saith he, *this custom should prevail, and it become lawful for those who will to go into the parishes of others, even from such distances, and to cast out whom any one pleaseth, doing by their own authority what they please, know that all things will go to wreck*—<sup>c</sup>. Why may not this be said of a Roman, as well as of an Alexandrian? St Chrysostom also (we may observe) did not only apply himself to the Pope, but to other Western Bishops<sup>d</sup>; particularly to the Bishops of Milan and Aquileia, whom he called *Beatissimi Domini*: did he appeal to them?

He allegeth<sup>e</sup> Flavianus, Bishop of Constantinople, appealing to Pope Leo<sup>f</sup>: but let us consider the story. Flavianus for his orthodoxy (or upon other accounts) very injuriously treated and oppressed by Dioscorus, who was supported by the favour of the imperial court, having in his case no other remedy, did appeal to the Pope; who alone among the Patriarchs had dissented from those proceedings. The Pope was himself involved in the cause, being of the same persuasion; having

<sup>c</sup> Εἰ γὰρ τοῦτο κρατήσει τὸ ἔθος καὶ ἔξον γένοιτο τοῖς βουλομένοις ἀλλοτρίας ἀπίέναι παροικίας ἐκ τοσούτων διαστημάτων, καὶ ἐκβάλλων, οὐδὲ ἀνθίδιοι τις, κατ' ἔξουσίαν ιδίαν πράγματα ἀπερ ἀνθίλλονται, ἵστε ὅτι πάντα οὐχίστεται——. —Ib. [p. 157.]

<sup>d</sup> Scripsimus ista et ad Venerium Mediolanensem; et ad Chro-matium Aquilegiensem Episcopum.—Pallad. cap. II.

<sup>e</sup> Ibid. [§ 11. Eodem Saeculo ad Leonem appellavit Flavianus Episcopus Constantinopolis, ut scribit Liberatus in Breviario, cap. XII.]

<sup>f</sup> Flavianus autem contra se proplata sententia per ejus legatos Sedem Apostolicam appellavit libello.—Liberat. Brev. cap. XII. [apud Bin. Tom. IV. p. 389, c. 2 r.]

Necessitate coactus fuit ita agere, eo quod reliqui Patriarchæ adcessent in Concilio, solusque Romanus decesset.—De Marc. de Concord. VII. 7. [§ 1. Tom. II. p. 324.]

been no less affronted and hardly treated (considering their power, and that he was out of their reach) and condemned by the same adversaries. To him therefore, as to the leading Bishop of Christendom<sup>s</sup>, in the first place interested in defence of the common faith, together with a Synod, not to him as sole judge, did Flavianus appeal: *He (saith Placidia, in her Letter to Theodosius) did appeal to the Apostolic See, and to all the Bishops of these parts<sup>h</sup>*; that is, to the rest of Christendom, which were not engaged in the party of Dioscorus: and to whom else could he have appealed?

Valentinian, in his Epistle to Theodosius, in behalf of Pope Leo, saith, that he did appeal *According to the manner of Synods<sup>i</sup>*; and whatever those words signify, that could not be to the Pope, as a single judge: for before that time in whatever Synod was such an appeal made? what custom could there be favourable to such a pretence?

But what his appeal did import is best interpretable by the proceeding consequent; which was not the Pope's assuming to himself the judicature, either immediately or by delegation of judges, but endeavouring to procure a General Synod for it; the which endeavour doth appear in many Epistles to Theodosius and to his sister Pulcheria, soliciting that such a Synod might be indicted by his order: *All the Bishops, saith Pope Leo, with sighs and tears do supplicate your Grace, that because our*

<sup>s</sup> ——Κατὰ τὸν δρόν τοῦ Ἀποστολικοῦ Θρόνου, δν καὶ ἡμεῖς δμάστ, ὡς προπούμενον, προσκυνοῦμεν.—Epist. Placidiae ad Theod. Imp. Syr. Chalc. [Bin. Tom. III. p. 26 F.] [Mans. Conc. Tom. VI. col. 53 A.]

<sup>h</sup> Πρὸς τὸν Ἀποστολικὸν θρόνον καὶ πρὸς πάντας Ἐπισκόπους τὸν μερῶν τούτων.—[Bin. p. 26 E.] [Mans. col. 52 D.]

<sup>i</sup> Κατὰ τὸ ἔθος τῶν Συνόδων.—[Bin. p. 25 D.] [Mans. col. 49 C.]

ients did faithfully reclaim, and Bishop Flavianus d present them a libel of appeal, you would command a General Synod to be celebrated in Italy<sup>k</sup>. Hoscorus and his party would scarce have been so silly as to condemn Flavianus, if they had known which, if it had been a case clear in law, or obvious in practice, they could not but have known) that the Pope, who was deeply engaged in the same cause, had a power to reverse (and revenge) their proceedings. Nor would the good Emperor Theodosius so pertinaciously have maintained the proceedings of that Ephesine Synod, if he had deemed the Pope duly Sovereign, Governor, and Judge; or that a right of ultimate decision upon appeal did appertain to him. Nor had the Pope needed to have taken so much pains in procuring Synod, if he could have judged without it. Nor would Pope Leo (a man of so much spirit and zeal for the dignity of his See) have been so wanting to the maintenance of his right, as not immediately to have proceeded unto trial of the cause, without reverious attendance for a Synod, if he thought his pretence to such appeals as we now speak of, to have been good or plausible in the world at that time.

The next case is that of Theodoret<sup>l</sup>. His words, indeed, framed according to his condition, needing the patronage of Pope Leo, being then high in

<sup>k</sup> Omnes mansuetudini vestra cum gemitibus et lachrymis supplicant sacerdotes, ut quia et nostri fideliter reclamarunt, et eisdem elliū appellatioṇis Flavianus Episcopus dedit, Generalem Synōm jubeatis intra Italiam celebrari——.—P. Leo. I. [Epist. XLIV. p. Tom. I. col. 915.]

<sup>l</sup> [§ 11. Ad eundem appellavit Theodoretus, ut ex epistola ejus Leonem appareret.]

reputation, do sound favourably; but we abstracting from the sound of words must regard the reason of things. His words are these: *I expect the suffrage of your Apostolic See, and beseech and earnestly entreat your holiness to succour me, who appeal to your right and just judicature<sup>m</sup>.*

He never had been particularly or personally judged<sup>n</sup>, and therefore did not need to appeal, as to a judge; nor therefore is his application to the Pope to be interpreted for such; but rather as to a charitable succourer of him in his distress, by his countenance and endeavour to relieve him. He only was supposed erroneous in faith, and a perilous abettor of Nestorianism, because he had smartly contradicted Cyril; which prejudice did cause him to be prohibited from coming to the Synod of Ephesus<sup>o</sup>; and there in his absence to be denounced heterodox<sup>p</sup>.

His appeal then to the Pope (having no other recourse, in whom he did confide, finding him to

<sup>m</sup> Ἐγὼ δὲ τοῦ ἀποστολικοῦ ὑμῶν θρόνου περιμένω τὴν ψῆφον τοῦ ἰκετεύω καὶ ἀντιβολῶ τὴν σὴν ἀγιότητα, ἐπαυγάσας μοι τὸ ὄρθιον ἱερόν καὶ δίκαιον ἐπικαλούμενον κριτήριον.—Theodor. Ep. cxiii. ad Leon. [Opp. Tom. iii. p. 987 B.] Vid. Ep. cxii. ad Domnum.

<sup>n</sup> Ἀλλὰ κάμε τὸν ἀπόντα δρμίως καλάμῳ κατέσφαξεν, οὐτε καίνος εἰς δικαστήριον, οὐτε παρόντα κρίνεις—Μετὰ τοσούτους ἴδρωτος τούτους μὴ δικασάμενος κατεκρίθην.—Ibid. [p. 986 B. p. 987 A.]

Οἱ δὲ δικαιάτοι δικασταὶ τὸν ἀπόντα κατέκριναν, οὐ δικάσασθαι μᾶλλον δὲ καὶ λίαν ἐπανέσαντες τὰ δῆθεν εἰς κατηγορίαν ἡμῶν ἐπειδή θέντα συγγράμματα.—Id. Ep. cxxxviii. ad Anat. [p. 1011 B.]

<sup>o</sup> Βασιλικοῖς γὰρ ἡμᾶς τῇ Κύρρῳ προσδήσαντες γράμμασιν—Id. Ep. cxlv. [p. 1022 A.]

<sup>p</sup> Ἐμὲ δὲ νόμος ἐνθάδε καθείργει βασιλικός.—Id. Ep. cxxvii. [p. 999 c.]

Βασιλικοῖς γράμμασι καλυθέντες καταλαβεῖν τὴν Ἐφεσον—Id. Ep. cxxxix. [p. 1013 c.]

<sup>p</sup> Vid. Ep. cxxxviii. ubi supra.

concur with himself in opinion against Eutychianism) was no other than (as the word is often used in common speech, when we say, I appeal to your judgment in this or that case) a referring it to the Pope's consideration, whether his faith was sound and orthodox<sup>4</sup>; capacitating him to retain his office: the which upon his explication and profession thereof (presented in terms of extraordinary respect and deference) the Pope did approve; thereby (as a good divine, rather than as a formal judge) acquitting him of heterodoxy: the which approbation (in regard to the great opinion then had of the Pope's skill in those points, and to the favour he had obtained by contesting against the Eutychians) did bear great sway in the Synod; so that (although not without opposition of many, and not upon absolute terms) he was permitted to sit among the Fathers of Chalcedon.

### Observations.

1 We do not read of any formal trial the Pope made of Theodoret's case; that he was cited, that his accusers did appear, that his cause was discussed; but only a simple approbation of him.

2 We may observe, that Theodoret did write to Flavianus in like terms: *We entreat your holiness to fight in behalf of the faith which is assaulted,*

<sup>4</sup> Τὰ γὰρ παρ' ὑμῶν κριθησόμενα στέρξομεν, ὅποια ἀνίτην.—Id. Ep. Cxvi. ad Renatum Presbyterum, [p. 989 D.]

Μαθεῖν ἀντιβολῶ παρ' ὑμῶν, εἴτε χρή με στέρξαι τὴν ἀδικον ταύτην καθαιρεσιν, εἴτε μή.—Id. Ep. cxiii. [p. 987 C.]

Ὄστε καὶ τὰς τῆς ἀνατολικῆς ἐκκλησίας τῆς ὑμετέρας ἀπολαῦσαι αποδημονίας.—Id. Ep. cxviii. [p. 991 C.]

*and to defend the Canons which are trampled under foot.*

3 We may observe, that Theodoret expecting this favour of Pope Leo, and thence being moved to commend the Roman See to the height, and to reckon its special advantages, doth not yet mention his supremacy of power, or universality of jurisdiction: for those words, *It beseemeth you to be prime in all things*<sup>8</sup>, are only general words relating to the advantages which he subjoineth; of which he saith, *For your throne is adorned with many advantages*<sup>9</sup>, in a florid enumeration whereof he passeth over that of peculiar jurisdiction; he nameth the magnitude, splendour, majesty, and populousness of the city; the early faith praised by St Paul, the sepulchres of the two great Apostles, and their decease there; but the Pope's being universal Sovereign and Judge (which was the main advantage whereof that See could be capable) he doth not mention: why? because he was not aware thereof, else surely he would not have passed it in silence.

4 We may also observe, that whatever the opinion of Theodoret was now concerning the

<sup>8</sup> Τὴν σὴν ἀγιωσύνην παρακαλοῦμεν τῆς πολεμουμένης πόλεως ὑπερμαχῆσαι, καὶ τῶν πατηθέντων ὑπεραγωνίσασθαι κανόνων.—Id. Ep. LXXXVI. [p. 963 D.]

<sup>9</sup> Διὰ πάντα γὰρ ὑμῖν πρωτεύειν ἀρμόττει.—Id. Ep. CXXX. [p. 984 D.]

<sup>10</sup> Πολλοῖς γὰρ δὲ ὑμέτερος θρόνος κοσμεῖται πλεονεκτήμασι.—Ibid.  
“Εχει γὰρ δὲ πανάγιος θρόνος ἐκείνος τῶν κατὰ τὴν οἰκουμένην ἀ-κλησιῶν τὴν ἡγεμονίαν, διὰ πολλὰ, καὶ πρὸ τῶν ἀλλων ἀπάντων, ὃν αἱρετικῆς μεμένηκε δυναδίας ἀμύνητος, καὶ οὐδεὶς τάνατοι φρονῶν εἰς ἐκείνον ἐκάθισεν, ἀλλὰ τὴν ἀποστολικὴν χάριν ἀκήρατον διεφύλαξε.”—Id. Ep. CXXVI. [p. 989 C.] *That holy See has the principality over the Churches in all the world for many reasons; but especially because she continued free from the taint of heresy, and none otherwise minded ever sat in her, she having kept the Apostolic state always unimpaired.*

Pope's power, he not long before did hardly take in for such a judge, when he did oppose Pope Elestine, concurring with Cyril, at the first Ephesian Synod. He then, indeed, looking on Pope Elestine as a prejudiced adversary, did not write to him, but to the other Bishops of the West, as we see by those words in his Epistle to Domnus: *and we have written to the Bishops of the West about these things, to him of Milan, I say, to him of Aquileia, and him of Ravenna, testifying<sup>u</sup>, &c.*

5 Yea we may observe, that Theodoret did intend, with the Emperor's leave, to appeal, or refer his cause, to the whole body of Western Bishops, himself doth express in those words to Anatolius: *I do pray your magnificence, that you would request this favour of our dread Sovereign, that I may have recourse to the West, and may be judged by the most religious and holy Bishops there<sup>x</sup>.*

Bellarmino<sup>y</sup> further doth allege the Appeal of Hadrianus, Bishop of Thebes, to Pope Gregory I.; to which he received and asserted by excommunicating the Archbishop of Justiniana Prima<sup>z</sup>, for

<sup>u</sup> Καὶ τοῖς θεοφιλεστάτοις δὲ τῆς δύσεως ἐπισκόποις, τῷ Μεδιούσῳ φημὶ, καὶ τῷ Ἀκυλείᾳ καὶ τῷ Ῥαβένηῃ περὶ τούτων ἐγράψας, διαμαρτυρόμενος ὡς τῆς Ἀπολιωρίου ταῦτα καινοτομίας πεπλήρωται.

Id. Ep. cxii. [p. 983 d.]

<sup>x</sup> Ἀπτιβολῶ τὴν ὑμετέραν μεγαλοπρέπειαν, ταῦτην αἰτήσαι τὴν χάριν καλλίσκον κορυφὴν, ὡστε με τὴν ἐσπέραν καταλαβεῖν, καὶ παρὰ τοῖς ἕκείνῃ θεοφιλεστάτοις καὶ ἀγιωτάτοις ἐπισκόποις δικάσσωθαι.—Id. cxix. [p. 992 d.]

<sup>y</sup> § 12. [Post annum 500 Gregorius, Lib. II. Ep. 6, (Lib. III. 6. Ed. Bened.) *privat sacra communione Joannem Episcopum eum Prime Justinianæ, quod judicasset Episcopum Thebanum, ad Apostolicam Sedem appellaverit.*]

<sup>z</sup> P. Greg. I. Ep. III. 6. [Opp. Tom. II. col. 628. —Ex Beati Tri Principis Apostolorum auctoritate decernimus, triginta dierum

deposing Hadrianus, without regard to that appeal  
I answer,

1 The example is late, when the Popes had extended their power beyond the ancient and due limits: those maxims had got in before the time of that worthy Pope; who thought he might use the power of which he found himself possessed.

2 It is impertinent, because the Bishop of Justiniana had then a special dependence upon the Roman See; from whence an universal jurisdiction upon appeal cannot be inferred.

3 It might be an usurpation; nor doth the opinion or practice of Pope Gregory suffice to determine a question of right; for good men are liable to prejudice, and its consequences.

To these instances produced by Bellarmine some add the appeal of Eutyches to Pope Leo; to which it may be excepted, that if he did appeal, it was not to the Pope solely, but to him with the other Patriarchs; so it is expressly said in the Acts of the Chalcedon Synod: *His deposition being read, he did appeal to the holy Synod of the most holy Bishop of Rome, and of Alexandria, and of Jerusalem, and of Thessalonica*<sup>\*</sup>: the which is an argument, that he did not apprehend the right of re-

spatio te sacra communione privatum, ab omnipotenti Deo nostro tanti excessus veniam cum summa pœnitentia ac lacrymis exorare. Quod si hanc sententiam nostram te cognoverimus implesse remissus, non jam tantum injustitiam, sed et contumaciam fraternitatis tuse cognoscas, adjuvante Domino severius puniendam. Praefatum vero Hadrianum fratrem et coepiscopum nostrum ex tua sententia —damnum, in suum ordinem reverti Christo comitante disponimus——.]

<sup>\*</sup> Ἀναγινωσκομένης τῆς καθαιρέσεως, ἐπεκαλέσατο τὴν ἄγιαν Σύνοδον τοῦ ἄγιοτάτου ἐπισκόπου Ῥώμης, καὶ Ἀλεξανδρείας, καὶ Ἱεροσολύμων, καὶ Θεσσαλονίκης.—Syn. Chalc. Act. 1.

ceiving Appeals did sole or peculiarly belong to him of Rome.

Liberatus saith, that *Johannes Talaida went to Calendion, Patriarch of Antioch, and taking of him intercessory Synodical letters, appealed to Simplicius, Bishop of Rome, as St Athanasius had done, and persuaded him to write in his behalf to Acacius, Bishop of Constantinople*<sup>b</sup>.

In regard to any more instances of this kind we might generally propose these following considerations.

1 It is no wonder, that any Bishop being condemned, especially in causes relating to faith or common interest, should have recourse to the Roman Bishop, or to any other Bishop of great authority, for refuge or for relief; which they may hope to be procured by them by the influence of their reputation, and their power among their dependents.

2 Bad men, being deservedly corrected, will absurdly resort any whither with mouths full of clamour and calumny; if not with hope of relief, yet with design of revenge; as did Marcion, as did Felicissimus, as did Apiarius to the Pope.

3 Good men being abused will express some resentment, and complain of their wrongs, where they may presume of a fair and favourable hearing: so did Athanasius, Flavianus, St Chrysostom, Theodore, apply themselves to the same Bishops,

<sup>b</sup> — Ingressus est ad Calendionem Antiochenum Patriarcam, et sumptis ab eo intercessionis Synodicas literis, Romanum pontificem Simplicium appellavit, sicut et beatus fecit Athanasius, t suasit scribere pro se Acacio Constantinopolitano Episcopo. — liberat. Brev. cap. xviii. [apud Bin. Tom. iv. p. 394, c. 2 E.] Cf. Baron. Annal. Eccles. Anno 483, §1. [Tom. viii. p. 418, c. 1.]

flourishing in so great reputation and wealth. So did the monks of Egypt, (Ammonius and Isidorus,) from the persecutions of Theophilus, fly to the protection and succour of St Chrysostom; which gave occasion to the troubles of that incomparable personage; the which is so illustrious an instance, that the words of the historian relating it deserve setting down: *They jointly did endeavour, that the trains against them might be examined by the Emperor as judge, and by the Bishop John; for they conceived that he having conscience of using a just freedom, would be able to succour them according to right: but he did receive the men applying to him courteously, and treated them respectfully, and did not hinder them from praying in the Church—He also writ to Theophilus to render communion to them, as being orthodox; and if there were need of judging their case by law, that he would send whom they thought good to prosecute the cause*<sup>o</sup>. If this had been to the Pope, it would have been alleged for an Appeal; and it would have had as much colour as any instance which they can produce.

4 And when men, either good or bad, do resort in this manner to great friends, it is no wonder, if they accost them in highest terms of respect, and with exaggerations of their eminent advantages; so inducing them to regard and favour their cause.

<sup>o</sup> Κοιητε ἐσπούδαζον, παρὰ Βασιλεῖ κριτῆ καὶ Ἰωάννη τῷ ἐπισκόπῳ ἐλέγχεσθαι τὰς καὶ αὐτῶν ἐπιβούλας. φόντο γάρ ἐνδίκου παρρήσιας αὐτὸς ἐπιμελούμενον δύνασθαι τὰ δίκαια βοηθεῖν αὐτοῖς. ὁ δὲ, προσελθόντα αὐτῷ τοὺς ἄνδρας, φλοιόφροντα ἐδίξατο, καὶ ἐν τῷ εἰχε, καὶ εὐχετεῖ ἐπὶ Ἐκκλησίας οὐκ ἐκάλυπτε —— ἔγραψε δὲ Θεοφίλῳ κοινωνίας αὐτοῖς ἀποδούναι, φέ δρθῶς περὶ Θεοῦ δοξάζουσιν, εἰ δὲ δίκυ δέος κρίνεσθαι περὶ αὐτοὺς, ἀποστέλλειν δι' αὐτῷ δοκεῖ δικαιούμενος.—Σοζ. γη. 12.

5 Neither is it strange, that great persons favourably should entertain those, who make such addresses to them, they always coming crouching in a suppliant posture, and with fair pretences; it being also natural to men to delight in seeing their power acknowledged; and it being a glorious thing to relieve the afflicted: for *Eminence is wont to incline toward infirmity, and with a ready good-will to take part with those who are under<sup>d</sup>.* So when Basilides, when Marcellus, when Eustathius Sebastianus, when Maximus, the Cynic, when Apiarius, were condemned, the Pope was hasty to engage for them; more liking their application to him, than weighing their cause.

6 And when any person doth continue long in a flourishing estate, so that such addresses are frequently made to him, no wonder that an opinion of lawful power to receive them doth arise both in him and in others; so that of a voluntary friend he become an authorized protector, a patron, a judge of such persons in such cases.

X. The Sovereign is fountain of all jurisdiction; and all inferior magistrates derive their authority from his warrant and commission, acting as his leputies or ministers, according to that intimation in St Peter: *Whether to the King as supreme, or to governors as sent by him.* <sup>1 Pet. ii. 13.</sup>

Accordingly the Pope doth challenge this advantage to himself, that he is the fountain of Ecclesiastical jurisdiction; pretending all Episcopal power to be derived from him. *The rule of the Church,*

<sup>d</sup> Φιλέι μελιστα κάμπτεσθαι τὸ προύχον πρὸς τὸ ἀσθενὲς, καὶ δι' ιωλας ἐκουσίου τῷ ἐλαττουμένῳ προστίθεσθαι.—Greg. Naz. [Orat. xv. Opp. Tom. I. p. 464 D.]

saith Bellarmine, *is monarchical; therefore all authority is in one, and from him is derived to others*<sup>e</sup>; the which aphorism he well proveth from the form of creating Bishops, as they call it: *We do provide such a Church with a person; and we do prefer him to be Father and Pastor and Bishop of the said Church; committing to him the administration in temporals and spirituals in the name of the Father, Son, and Holy Ghost*<sup>f</sup>.

Pope Pius II. in his Bull of Retractations, thus expresseth the sense of his See: *In the militant Church, which resembleth the triumphant, there is one moderator and judge of all, the vicar of Jesus Christ, from whom, as from the head, all power and authority is derived to the subject members; the which doth immediately flow into it from the Lord Christ*<sup>g</sup>.

A congregation of Cardinals, appointed by Pope Paulus III., speaking after the style and sentiments of that See, did say to him: *Your Holiness doth so bear the care of Christ's Church, that you have very many Ministers, by which you manage that care; these are all the Clergy, on whom the service of God is charged; especially Priests, and more especially Curates, and above all, Bishops*<sup>h</sup>.

<sup>e</sup> *Regimen Ecclesiasticum est monarchicum; ergo omnis auctoritas est in uno, et ab illo in alios derivatur.*—*De S. Pont. IV. 24. [§ 2.]*

<sup>f</sup> *Providemus Ecclesiae tali de tali persona, et præficiimus eum in Patrem, et Pastorem, et Episcopum ejusdem Ecclesiae, committentes ei administrationem in temporalibus et spiritualibus; in nomine, &c.*—*Ibid. [§ 13.]*

<sup>g</sup> — *in Ecclesia militanti, quæ instar triumphantis habet, unus est omnium moderator et arbiter, Jesu Christi vicarius: a quo tanquam capite omnis in subjecta membra potestas et auctoritas derivatur, quæ a Christo Domino Deo nostro sine medio in ipsum influit.*—*P. Pius II. in Bull. Retract. [apud Bin. Tom. VIII. p. 1047, c. 1A.]*

<sup>h</sup> *Sanctitas vestra ita gerit curam Ecclesiae Christi, ut Ministros*

Durandus, Bishop of Mande, according to the sense of his age, saith: *The Pope is head of all bishops, from whom they as members from an head descend, and of whose fulness all receive; whom he ills to a participation of his care, but admits not into the fulness of his power*<sup>1</sup>.

This pretence is seen in the ordinary titles of bishops, who style themselves Bishops of such a place, *By the grace of God and of the Apostolic See* <sup>k</sup>. shame!

The men of the Tridentine convention (those great betrayers of the Church to perpetual slavery, and Christian truth to the prevalency of falsehood, till God pleaseth) do, upon divers occasions, pretend to qualify and empower Bishops to perform important matters, originally belonging to the Episcopal function, as the Pope's delegates<sup>1</sup>.

But contrariwise according to the doctrine of Holy Scripture, and the sense of the primitive Church, the Bishops and Pastors of the Church do immediately receive their authority and commission from God; being only his Ministers. The Scripture calleth them *The Ministers of God*, and of <sup>Col. i. 7;</sup> *Christ*, (so Epaphras, so Timothy, in regard to their <sup>iv. 7.</sup> <sup>1 Thess. iii.</sup> Ecclesiastical function are named,) *The stewards of* <sup>2.</sup> <sup>1 Tim. iv.</sup> *God*, *The servants of God*, *Fellow-servants of the* <sup>6.</sup> <sup>1 Tim. iv.</sup>

durimos habeat, per quos curam exerceat; hi autem sunt Clerici 2 Tim. ii.  
mnes, quibus mandatus est cultus Dei; Presbyteri præsertim, et Acts xx.  
iáxime Curati, et præ omnibus Episcopi——.—Apud Cham. de 28.  
'ont. Ecum. 10. 13.

<sup>1</sup> *Summus Pontifex caput est omnium Pontificum, a quo illi inquam a capite membra descendant, et de cuius plenitudine mnes accipiunt quos ipse vocat in partem sollicitudinis, non in plenitudinem potestatis.* —Durand. *Mimat. Offic.* II. 1, 17.

<sup>4</sup> N. Dei et Apostolicæ Sedi gratia Episcopus Colon. —.

<sup>1</sup> This was an expedient.—Vid. Concil.

## I. *Function of the*

The Scripture saith, that *The Holy Ghost* had made them *Bishops* to feed the *Church of God*; *that* *not* *unto them* *and* *constituted* *them* *in* *the* *Church*; *for* *the* *perfecting* *of* *the* *Saints*, *for* *the* *work* *of* *the* *Ministry*, *for* *the* *edifying* *of* *the* *body* *of* *Christ*; *that* *is* *to* *all* *effects* *and* *purposes* *concerning* *their* *office*; *for* *the* *work* *of* *the* *Ministry* *comprehend* *all* *the* *trust* *charged* *on* *them*, *whether* *it* *be* *law* *or* *order* *or* *governance*; *as* *they* *now* *do* *universally* *and* *universally* *in* *reference* *to* *this* *one* *Ministry*<sup>2</sup>; *and* *edifying* *the* *body* *doth* *import* *all* *the* *designated* *effects* *of* *their* *office*; *particular* *those* *which* *are* *consequent* *on* *the* *use* *of* *unction*. *See* *where* *St* *Paul* *doth* *affirm* *was* *appointed* *for* *unction*: *According*, *saith* *he*, *to* *the* *nature* *trust* *of* *which* *given* *me* *for* *edification*, *and* *not* *for* *destruction*. *They* *do* *preside* *in* *the* *Lord*<sup>3</sup>. *They* *have* *no* *other* *head* *but* *our* *Lord*, *from* *whom* *all* *the* *body*. *etc.*

The Fathers *readily* *do* *express* *their* *sentiments* *to* *be* *the* *same*. *St Ignatius* *saith*, *that* *The* *Bishop* *hath* *preside* *in* *the* *place* *of* *God*<sup>4</sup>; *and* *that* *we* *must* *not* *call* *him* *as* *our* *Lord* *himself*, *(or* *as* *our* *Lord's* *representative*); *that* *therefore* *we* *must* *be* *subject* *to* *him* *as* *unto* *Jesus* *Christ*<sup>5</sup>. *St Cyprian* *affirmit* *the* *Bishop* *to* *be* *constituted* *by* *the* *judgment* *of* *God* *and* *of* *Christ*; *and* *that* *in* *his* *Church*

<sup>2</sup> *Qui conseruatur a Deo immediate, iurisdictio mediate.*—Bell. 22. § 13.

<sup>3</sup> *Επισκόπον εἰς Κύριον.*—1 Thess. v. 12.

<sup>4</sup> *Επισκόπον τον επιστολεῖς τον Θεοῦ.*—Ign. ad Magnes. cap. vi. [Novel Pat. Apost. Tom. II. p. 18.]

<sup>5</sup> *Επισκόπον επίπλον, ὅτι εἰς αὐτὸν τὸν Κύριον δεῖ προσκύνασθαι.*—Ib. cap. vi. [Ib. p. 13.]

<sup>6</sup> *Επισκόπον ἵστασθαι εἰς Ἰησοῦν Χριστόν.*—Id. ad Trall. cap. vi. [Ib. p. 22.]

*is for the present a judge in the place of Christ: and that our Lord Jesus Christ, one and alone, hath a power both to prefer us to the government of his Church, and to judge of our acting<sup>a</sup>.* St Basil; *I Prelate is nothing else but one that sustaineth the person of Christ<sup>b</sup>.* St Chrysostom; *We have received the commission of ambassadors, and come from God; for this is the dignity of the Episcopal office<sup>c</sup>.* *It behoveth us all, who by divine authority are constituted in the Priesthood, to prevent<sup>d</sup>, &c.*

Wherefore the ancient Bishops did all of them make themselves to be vicars of Christ, not of the Pope, and no less than the proudest Pope of them all; whence it was ordinary for them in their addresses and compellations to the Bishop of Rome, and in their speech about him, to call him their brother, their colleague, their fellow-minister; which had not been modest, or just, if they had been his ministers or shadows<sup>e</sup>. Yea, the Popes themselves, even the highest and haughtiest of

<sup>a</sup> *Episcopus de Dei et Christi ejus judicio.*—Ep. lii. [Opp. 68,] et alibi sepe.

*Unus in Ecclesia ad tempus sacerdos, et ad tempus judex, vice Christi.*—Id. Ep. lv. [Opp. p. 82.]

*Sed expectemus universi judicium Domini nostri Iesu Christi, qui unus et solus habet potestatem et præponendi nos in Ecclesia sua gubernatione, et de actu nostro judicandi.*—Id. in Conc. Urthag. [Opp. p. 330.]

<sup>b</sup> *Ο γάρ καθηγούμενος οὐδὲν ἔτερόν ἔστιν, ἢ ὁ τοῦ Σωτῆρος ἐπέχων δοκιμος.*—Bas. Const. Mon. cap. xii. [Opp. Tom. ii. p. 573 A.]

<sup>c</sup> *Ὕμεις τοίνυν πρεσβείας ἀνεδεξάμεθα λόγον, καὶ ἡκομεν παρὰ τοῦ οὐ, τοῦτο γάρ ἔστι τὸ τῆς ἐπισκοπῆς ἀξίωμα.*—Chrys. in Coloss. iii. [Opp. Tom. iv. p. 108.]

<sup>d</sup> *— Oportere nos omnes, qui Deo auctore sumus in sacerdotio constituti illius certaminibus obviare, &c.*—Anatol. Ep. ad ip. Leon. in Conc. Chalc. [Bin. Tom. iii. p. 512, c. 1 c.] [Mans. one. Tom. vii. col. 537 c.]

<sup>e</sup> *Leo. Ep. lxxxiv.*

them, who of any in old times did most stand on their presumed pre-eminence, did yet vouchsafe to call other Bishops their fellow-Bishops and fellow-Ministers.

Those Bishops of France with good reason did complain of Pope Nicholas I. for calling them his Clerks; wheras, if his pride had suffered him, he should have acknowledged them for his brethren, and fellow-Bishops<sup>x</sup>.

In fine, the ancient Bishops did not allege any commission from the Pope to warrant their jurisdiction, but from God; *If Moses's chair were so venerable, that what was said out of that ought therefore to be heard, how much more is Christ's throne so?* We succeed him; from this we speak, because Christ has committed to us the ministry of reconciliation<sup>y</sup>. That which is committed to the Priest, it is only in God's power to give<sup>z</sup>. Since we also, by the mercy of Christ our King and God, were made Ministers of the Gospel<sup>a</sup>.

This is a modern dream, born out of ambition and flattery, which never came into the head of any ancient divine.

<sup>x</sup> *Sciesque nos non tuos esse ut te jactas et extollis Clericos, quos ut fratres et coepiscopos recognoscere si elatio permetteret debueras.* —Ann. Franc. Pith. [an. 858.]

<sup>y</sup> Εἰ δὲ Μωϋσέως θρόνος οὐτως ἦν αἰδέσιμος, ὡς δι' ἑκείνον ἀκούσθε, πολλῷ μᾶλλον δὲ Χριστοῦ θρόνος. ἑκείνον ἡμεῖς διεδεξάμεθα· ἀπὸ τούτων φθεγγόμεθα, ἀφ' οὗ καὶ δὲ Χριστὸς ἔθετο ἐν ἡμῖν τὴν διακονίαν τῆς παλαιαγῆς. —Chrys. in Coloss. Orat. III. [Opp. Tom. IV. p. 107.]

<sup>a</sup> *Ημεῖς τοινυν* —. —Id. supra.

<sup>b</sup> *Αὐτὸς ἐγκεχειρισταὶ δὲ ιερεὺς, Θεοῦ μόνου ἐστὶ δωρεῖσθαι, &c.* —Chrys. in Joh. Orat. LXXXVI. [Tom. II. p. 922.]

<sup>c</sup> *Ἐπεὶ οὖν καὶ ἡμεῖς ἀλέει τοῦ συμβασιλέως (Ι. συμβασιλέως) ἡμῶν Χριστοῦ τοῦ Θεοῦ ιερουργοὶ τοῦ εὐαγγελίου ἐκληρούθημεν* —. —Flavian. in Conc. Chalc. Act. I. [Bin. Tom. III. p. 4 B.] [Man. Conc. Tom. VI. col. 541 A.]

It is a ridiculous thing to imagine that Cyprian, Athanasius, Basil, Chrysostom, Austin, &c. did make themselves for the vicegerents or ministers of the Popes; if they did, why did they not, so frequent occasion being given them, in all their volumes, ever acknowledge it? why cannot Bellarmine and his complices, after all their prolling, shew any passage in them importing any such acknowledgment; but are fain to infer it by far-fetched sophisms, from allegations plainly impertinent or frivolous?

The Popes, indeed, in the Fourth Century began to practise a fine trick, very serviceable to the enlargement of their power; which was to confer on certain Bishops, as occasion served, or for continuance, the title of their Vicar or Lieutenant; thereby pretending to impart authority to them: whereby they were enabled for performance of divers things, which otherwise by their own Episcopal or Metropolitical power they could not perform. By which device they did engage such Bishops to such a dependence on them, whereby they did promote the Papal authority in provinces, & the oppression of the ancient rights and liberties of Bishops and Synods, doing what they pleased under pretence of this vast power communicated to them; and for fear of being displaced, or out of affection to their favourer, doing what might serve to advance the Papacy.

Thus did Pope Celestine constitute Cyril in his <sup>a</sup>com<sup>b</sup>.

<sup>a</sup> [Κυρδλου του θεοπεσιου διέποντος και τὸν Κελεστίνου τόπον, τὴν τασκοπήν, ὡς εἴρηται, τῆς πρεσβυτέρας Ῥώμης πρυτανεύοντος.—Evag. 4.] Cf. Conc. Eph. Act. III. [Bin. Tom. II. p. 334 A. Καὶ δὲ τῆς

Pope Leo appointed Anatolius of Constantinople.

Pope Felix Acacius of Constantinople.

Pope Hormisdas Epiphanius of Constantinople<sup>c</sup>.

Pope Simplicius to Zeno Bishop of Seville—  
*We thought it convenient that you should be held up by the vicariat authority of our See<sup>d</sup>.*

So did Siricius and his successors constitute the Bishops of Thessalonica to be their Vicars in the diocese of Illyricum, wherein being then a member of the Western Empire they had caught a special jurisdiction; to which Pope Leo did refer in those words, which sometimes are impertinently alleged with reference to all Bishops, but concern only Anastatius, Bishop of Thessalonica: *We have intrusted thy charity to be in our stead, so that thou art called into part of the solicitude, not into plenitude of the authority*<sup>e</sup>.

So did Pope Zozimus bestow a like pretence of vicarious power upon the Bishop of Arles, which city was the seat of the temporal Exarch in Gaul.

So to the Bishop of Justiniana Prima in Bulgaria, (or Dardania Europaea,) the like privilege was granted, by procurement of the Emperor Justinian, native of that place.

μεγάλης Ἀράμης διγιώτατος ἐπίσκοπος Κελεστίνος — ἐπιτρέψεις τῇ ἀγιωτάτῳ — ἐπισκόπῳ Κυριλλῷ — καὶ τὸν αὐτοῦ ἐπέχεις τόπον — Mans. Conc. Tom. iv. col. 1301 b.]

<sup>c</sup> Conc. Const. sub Agap. et Menn. Bin. Tom. iv. p. 70.

<sup>d</sup> Congruum duximus vicaria Sedis nostrae te auctoritate fulciri.—Apud Baron. Annal. Eccles. Anno 482, § 46. [Tom. vii. p. 411, c. 2.]

<sup>e</sup> Vices enim nostras ita tuas credidimus caritati, ut in parsis vocatus sollicitudinis, non in plenitudinem potestatis.—P. Leo I. Ep. xiv. (ad Anastas. Thessal.) [Opp. Tom. i. col. 686.]

Afterwards temporary or occasional Vicars were appointed<sup>f</sup>, (such as Austin in England, Boniface in Germany,) who in virtue of that concession did usurp a paramount authority; and by the exercise whereof did advance the Papal interest; depressing the authority of Metropolitans and provincial bishops.

So at length Legates<sup>g</sup>, upon occasion despatched to all countries of the West, came to do there what they pleased, using that pretence to oppress and abuse both Clergy and people very intolerably. Hence divers countries<sup>h</sup> were forced to make legal provisions for excluding such Legates, finding by much experience that their business was to act and domineer in the Pope's name, to suck money from the people, and to maintain luxurious pomp upon expense of the countries where they resided. Of this, John XXII. doth sorely complain<sup>i</sup>; and decrees that all people should admit

<sup>f</sup> Vid. P. Joh. VIII. Ep. xciii. [ad Arelat. Archiepisc. Itaque fraternitatis tuæ vices nostras in Ecclesiis, quæ sub Regno Galliarum habuimus, juxta antiquum morem, Deo auctore committimus singulis demetropolitis, secundum priscam consuetudinem, proprio labore servato, &c.—Bin. Tom. vii. P. i. p. 40, c. 1 r. Mans. Conc. m. xvii. col. 80.]

<sup>g</sup> Occulti inimici Regni——.—Matt. Par. Anno 1240, p. 524. ex (Hen. III.) autem, cum ad se reversus timuisset, ne sibi alii a sinistri contingeret, eo quod tam familiarem occultum inimicorum Regni, scilicet Legatum, habuisset——.]

<sup>h</sup> P. Pasch. II. Epist. apud Eadm. p. 113, &c.

<sup>i</sup> Extrav. Commun. Lib. i. Tit. i. cap. 1. [Corp. Jur. Can. Tom. p. 391. Nos hujusmodi consuetudinem, non tam irrationalabilem, sed nonnunquam animarum saluti contrariam, detrahentemque ecclesiasticæ potestati, auctoritate Apostolica penitus reprobantes, Legatos ipsos ab omnibus, cuiuscunque præminentia, conditionis, & status fuerint, debere admitti decernimus —. Qui vero de cetero super predictis dictos Legatos, aut etiam Nuncios, quos ad hancunque partes pro causis quibuslibet Sedes ipsa transmiserit,

his Legates, under pain of interdicts. In England, Pope Paschal finds the same fault in his letter to king Henry I: *Nuncios, or letters from the Apostolic See, unless by your Majesty's command, are not thought worthy any admittance or reception within your jurisdiction: none complains thence, none appeals thence for judgment to the Apostolic See*<sup>1</sup>.

The Pope observing what authority and reverence the Archbishops of Canterbury had in this nation, whereby they might be able to check his attempts, did think good to constitute those Archbishops his Legates of course, (*legatos natos*,) that so they might seem to exercise their jurisdiction by authority derived from him; and owing to him that mark of favour, or honour, with enlargement of power, might pay him more devotion, and serve his interests.

Bellarmino<sup>1</sup> doth from this practice prove the Pope's sovereign power; but he might from thence better have demonstrated his great cunning. It might, from such extraordinary designation of Vicegerents, with far more reason be inferred, that ordinarily Bishops are not his Ministers.

præsumperint impedire, ipso facto sententiam excommunicationis incurant; Regna, terræ, et loca quilibet subjecta eisdem tam in sint eo ipso Ecclesiastico supposita interdicto, quamdui in hujmodi contumacia duxerint persistendum.]

<sup>1</sup> Sedis Apostolicae nuncii vel literæ præter jussum regis Majestatis nullam in potestate tua susceptionem aut aditum promerentur, nullus inde clamor, nullum judicium ad Sedem Apostolicam destinantur.—P. Pasch. II. apud Eadm. p. 113.

<sup>1</sup> De S. Pontif. II. [20, § 2. — Ex eo quod Apostolica Sede Vicarios habebat in omnibus fere longinquis regionibus, vel vias suas ad tempus alicui committebat et tamen ad se graviora negotia referri volebat, recte colligimus ad Apostolicam Sedem summum judicium totius Ecclesiae pertinere.]

XI. It is the privilege of a Sovereign, that he cannot be called to account, or judged, or deposed, or debarred communion, or anywise censured and punished; for this implieth a contradiction or confusion in degrees, subjecting the superior to inferiors; this were making a river run backwards; this were to dam up the fountain of justice; to behead the state; to expose majesty to contempt.

Wherefore the Pope doth pretend to this privilege<sup>m</sup>, according to those maxims in the Canon Law<sup>n</sup>, drawn from the sayings of Popes (either forged or genuine, but all alike) obtaining authority in their court; and according to what Pope Adrian let the

<sup>m</sup> Bellar. de S. Pontif. II. 26. [§ 1. Romanus Pontifex a nemine in terris judicari potest.]

<sup>n</sup> Id. Conc. II. 17. [§ 1. Summus Pontifex simpliciter et absolute est supra Ecclesiam universam, et supra Concilium Generale, ita ut nullum in terris supra se judicium agnoscat.]

<sup>o</sup> Grat. Dist. XL. cap. 6. [Corp. Jur. Can. Tom. I. p. 53. Hujus vulpas istic redarguere præsumit mortalium nullus: quia cunctos peccatores judicatur a nemine est judicandus, &c.]

Grat. Dist. XXI. 7. [Ibid. p. 28. P. Nichol. I. ad Imp. Michaël. — Tempore Diocletiani, et Maximiani Augustorum, Marcellinus Episcopus Urbis Rome, qui postea insignis Martyr effectus est, deo compulsus est a Paganis, ut in templum eorum ingressus, crux thuris super prunas imponeret; cuius rei gratia collecto numero sororum Concilio Episcoporum, et inquisitione facta, hoc idem Pontifex se egisse confessus est. Nullus tamen eorum proferro sententiam in eum ausus est, dum ei saepissime omnes perhiberent: "no ore judica causam tuam, non nostro judicio. Et iterum: Noli iungunt, audiri in nostro judicio, sed collige, in sinu tuo, causam tuam —. Et iterum dicunt: Prima Sedes non judicabitur a nequam.]

Caus. IX. Qu. III. cap. 10. [Ibid. p. 210. P. Nichol. I. ad Imp. Michaël. Patet profecto Sedis Apostolicæ, (cujus auctoritate major non est) judicium a nemine fore retractandum; neque cuiquam de jure licere judicare judicio; juxta quod Innocentius Papa Ruffus — ait, &c.]

Extrav. Comm. Lib. I. Tit. VIII. cap. I. [Corp. Jur. Can. Tom. II.

eighth Synod know: *Because, says he, the Apostolic Church of Rome stoops not to the judgment of lesser Churches*.

They cite also three old Synods, (of Sinuessa, of Rome under Pope Silvester, of Rome under Sixtus III.) but they are palpably spurious, and the learned amongst them confess it.

But antiquity was not of this mind; for it did suppose him no less obnoxious to judgment and correction than other Bishops, if he should notoriously deviate from the faith, or violate Canonical discipline. The Canons generally do oblige Bishops without exception to duty, and (upon defailance) to correction: why is not he excepted, if to be excused or exempted?

It was not questioned of old, but that a Pope, in case he should notoriously depart from the faith, or notably infringe discipline, might be excommunicated: the attempting it upon divers occasions doth shew their opinion, although it often had not effect, because the cause was not just and plausible; the truth and equity of the case appearing to be on the Pope's side.

St Isidore Pelusiota denieth of any Bishop's

p. 395. (P. Bonif. VIII.) *Porro subesse Romano Pontifici omni humanæ creaturæ declaramus, dicimus, definimus et pronunciamus omnino esse de necessitate salutis.*]

Cf. P. Leo. IX. Ep. i. capp. 10—17. [Mans. Conc. Tom. xii. coll. 640—46.] P. Nich. I. Ep. viii. [Mans. Conc. Tom. xv. col. 196.] P. Joh. VIII. Ep. lxxv. [Mans. Conc. Tom. xvii. col. 63.] P. Gelas. I. Ep. iv. [Mans. Conc. Tom. viii. coll. 18, 19.] Ep. xiii. [Ibid. coll. 52—4.] P. Greg. VII. Ep. viii. 21. [Mans. Tom. xii. coll. 331 et seqq.]

<sup>ο</sup> Διὰ τὸ τὴν ἀποστολικὴν Ἑκκλησίαν τῆς Ῥώμης τῇ τῷν διατόρων μὴ ὑποκύπτειν κρίσει.—P. Adrian. in Syn. viii. Act. vii. [Bin. Tom. vi. p. 963 ε.] [Mans. Conc. Tom. xvi. col. 376 Α.]

office, that it is ἀρχὴ ἀνυπεύθυνος, an uncontrollable government<sup>P</sup>.

In the times of Polycrates and Pope Victor the whole Eastern Church did forbear communion with the Pope<sup>q</sup>. Firmilian told Pope Stephanus, that by conceiting he might excommunicate all other Bishops, he had excommunicated himself<sup>r</sup>. The Fathers of the Antiochene Synod did threaten to excommunicate and depose Pope Julius: *They did promise to Julius peace and communion, if he did admit the deposition of those whom they had excommunicated, and the constitution of those whom they had ordained; but if he did resist their decrees, they renounced the contrary*<sup>s</sup>. The Oriental Bishops at Sardica did excommunicate and depose him<sup>t</sup>. St Hilary did anathematize Pope Liberius<sup>u</sup>, upon his defection to the Arians. Dioscorus did attempt to excommunicate Pope Leo<sup>v</sup>. Acacius of Constantinople renounced the communion of Pope Felix<sup>x</sup>.

P [Ep. Lib. iv. 219, Opp. p. 544 B.]

q "Εν τε χρόνοις Πολυκράτους καὶ Βίκτωρος ὡς η ἀνατολὴ πρὸς τὴν δύσιν διαφερομένη εἰρηνικὰ παρ' ἀλλήλων οὐκ ἐδέχοντο.—Epiph. Haer. LXX. (Audianorum.) [Opp. Tom. I. p. 821 D.]

r Dum enim putas omnes a te abstineri posse, solum te ab omnibus abstinuisti.—Firm. apud Cypr. Ep. LXXV. [Opp. p. 150.]

s Δεχομένη μὲν Ἰουλίῳ τὴν καθαιρεσιν τῶν πρὸς αὐτῶν ἐληλαμένων, καὶ τὴν κατάστασιν τῶν ἀντ' αὐτῶν χειροτονηθέντων, εἰρήνην καὶ κοινωνίαν ἐπηγέλλοντο· ἀνθισταμένῳ δὲ τοῖς δεδογμένοις, τάνατία προηρευσαν.—Sozom. III. 8.

t Οἱ μὲν γὰρ ἀπὸ τῆς ἀνατολῆς—καθεῖλον Ἰούλιον τὸν Ῥώμης πίστοπον.—Id. III. 11.

u Anathema tibi, Liberi.—Hilar. Fragm. vi. [Opp. col. 1337 A.]

v Ἐτολμησε δὲ καὶ ἀκοινωνησίαν ὑπαγορεῦσαι κατὰ τοῦ ἀγιωτάτου ἀντιστάτου ἀρχιεπισκόπου τῆς μεγάλης Ῥώμης Λέοντος.—Evag. I. 4.

x Niceph. XVI. 17.

Cf. Baron. Annal. Eccl. Anno 484, § 35. [Tom. VIII. p. 450, c. 2. Addit Nicephorus ex Basilio Cilice veteri historico—Acacium eo

Timotheus *Ælurus* cursed the Pope<sup>a</sup>. The African Bishops did Synodically excommunicate Pope *Virgilius*<sup>b</sup>. Pope *Anastasius* was rejected by his own Clergy<sup>c</sup>. Pope *Constantine*<sup>b</sup>, by the people; and so was Pope *Leo VIII.*<sup>c</sup> Divers Bishops of Italy and Illyricum did abstain from the Pope's communion for a long time, because they did admit the Fifth Synod<sup>d</sup>. Photius did excommunicate and depose Pope *Nicholas I.*<sup>c</sup> *Maurus*, Bishop of Ravenna, did anathematize Pope *Vitalianus*<sup>d</sup>. The Emperor *Otho II.* having with good advice laboured to reclaim Pope *John XIII.* without effect, *did indicia Council, calling together the Bishops of Italy, by the judgment of whom the life of that wicked man*

insanis pervenisse, ut nomen ipsius Félicis Papæ e sacro eraserit  
Albo; cum nullus ante eum, quamvis complures hæretici et hæ-  
siarchæ illi præfuerint civitati Episcopi, tantum nefas nec cogitare  
ausus esset.]

<sup>a</sup> Baron. Annal. Eccl. Anno 457, § 25. [Tom. viii. p. 202, c. 2.  
— Anathematizat summos Archiepiscopos, id est, Romanum  
Leonem, et Constantinopolitanum Anatolium, et Basilium Antio-  
chenum, cunctumque Chalcedonense Concilium, omnesque totius  
Orbis Episcopos et undique orthodoxos Clericos simul et Laicos.]

<sup>b</sup> Africani antistites Vigilium Rom. Episc. damnatorem capite-  
lorum synodaliter a Catholica communione, reservato ei poenitentia-  
loco, recludunt. (al. excludunt.)—Vict. Tun. post Cons. Basilii V. C.  
ann. 10.

<sup>c</sup> Cf. Plat. Vit. Pontif. p. 131, et Dist. xix. cap. 21, 22. [?]

<sup>b</sup> Cf. Plat. Vit. Pontif. p. 223.

<sup>c</sup> Id. p. 291.

<sup>d</sup> P. Pelag. II. Ep. iii. 13. [?]

<sup>a</sup> Καθαιρεστιν, ὡς ἐνόμιζε καὶ ἀναθεματισμὸν ἐπ' οὐδεὶ λόγῳ τοι-  
ται Νικολαοῦ.—Vit. Ignatii, Patr. apud Bin. Tom. vi. p. 892. [Man-  
Cone. Tom. xvi. col. 256 d.]

<sup>a</sup> Baron. Annal. Eccl. Anno 669, § 1. [Tom. xi. p. 569, c. 1.  
Prodit idem auctor—a Vitaliano Papa excommunicatum fuisse  
Maurum Episcopum Ravennatem—At ille—eo vesanis pro-  
gressus sit, ut in Vitalianum eamdem anathematis sententiam reci-  
procaret.]

ould be judged<sup>g</sup>; and the issue was, that he was posed. Pope Nicholas I. desired to be judged by the Emperor<sup>h</sup>. The Fifth Synod did in general terms condemn Pope Vigilius; and the Emperor Justinian did banish him for not complying with the Decrees of it. The Sixth and Seventh General Synods did anathematize Honorius by name, when he was dead, because his heresy was not before confuted; and they would have served him so, if he had been alive. Divers Synods (that of Worms, of Pavia, of Fiescia, of Mentz, of Rome, &c.) did reject Pope Gregory VII.<sup>i</sup> Pope Adrian himself in the Eighth Synod (so called) did confess, that a Pope, being undeviating from the faith, might be judged, as Honorius was. Gerbertus (afterward Pope Sylvester II.) did maintain, that Popes might be held as leprosies and publicans, if they did not hear the church<sup>k</sup>. The Synod of Constance did judge and depose three Popes<sup>l</sup>. The Synod of Basil did depose Pope Eugenius; affirming, that *The Catholic*

<sup>g</sup> —— Concilium indicit, convocatis Episcopis Italiæ, quorum electio vita sceleratissimi hominis dijudicaretur.—Plat. in Vit. Joh. III. (pro XII.) [Vit. Pontif. p. 289.] Vid. Baron. Ann. 960, et siue.

— Communi totius sancti Concilii consensu depositus.—  
Litprand. vi. 6.

<sup>h</sup> Grat. Caus. II. Qu. 7, cap. 41. [?]

<sup>i</sup> Ann. 1076. Vid. Baron. Ann. 1033, § 3.

<sup>k</sup> Baron. Ann. 992, § 44—.

<sup>l</sup> Conc. Basil. Sess. XXXVIII. [Bin. Tom. VIII. p. 101, c. 2 c.] fons. Conc. Tom. XXIX. col. 192 g. Possuntque omnes Catholicæ videre, quanta plaga inferretur Ecclesiae Dei, si revocaretur dubium illa declaratio facta in Concilio Constantiniensi, vigore ius et ineffabili ac inexpugnabili auctoritate, depositio Joannis ige simitertii, et privatio Benedicti a jure Papatus (si quod habent) sic in suis obedientiis nuncupatorum, ac etiam electio Martini —factæ sunt.]

*Church hath often corrected and judged Popes, when they either erred from the faith, or by their ill manners became notoriously scandalous to the Church<sup>m</sup>.*

The practice of Popes to give an account of their faith<sup>n</sup> (when they entered upon their office) to the other Patriarchs and chief Bishops, approving themselves thereby worthy and capable of communion, doth imply them liable to judgment. Of the neglect of which practice Euphemius, Bishop of Constantinople, did complain<sup>o</sup>.

XII. To the Sovereign in Ecclesiastical affairs it would belong to define and decide controversies in faith, discipline, moral practice; so that all were bound to admit his definitions, decisions, interpretations. He would be the supreme interpreter of the divine law, and judge of controversies. No point or question of moment should be decided without his cognizance. This he therefore doth pretend to; taking upon him to define points, and requiring from all submission to his determinations. Nor doth he allow any Synods to decide questions.

But the ancients did know no such thing. In

<sup>m</sup> Ecclesia Catholica s̄epenumero summos Pontifices, sive sc̄de delirantes, sive pravis moribus notorie Ecclesiam scandalizantes correcit, et judicavit——. —Conc. Bass. Sess. XII. [Bin. Tom. VIII. p. 39, c. 2 b.] [Mans. Conc. Tom. XXIX. col. 59 A.]

<sup>n</sup> Mos est Romana Ecclesia sacerdoti noviter constituto formam fidei sue ad sanctas Ecclesias prærogare. —P. Gelas. I. Ep. II. ad Laur. Baron. [Bin. Tom. III. p. 622 b.] [Mans. Conc. Tom. VIII. col. 11 A.]

<sup>o</sup> P. Gelas. I. Ep. IX. apud Annal. Eccles. Ann. 492, § 10. [Tom. VIII. pp. 543, 544.]

Of this we have for example the Synodical Epistles (Epistle) of Pope Gregory I. [Lib. I. Ep. xxiv. ad Joan. Episc. Constant. Eulog. Alexandr. &c.] Tract. de Unit. Eccles. [?]

ase of contentions, they had no recourse to his judgment; they did not stand to his opinion, his authority did not avail to quash disputes. They had recourse to the Holy Scriptures, to Catholic tradition, to reason; they disputed and discussed points by dint of argument.

Irenæus, Tertullian, Vincentius Lirinensis, and others, discoursing of the methods to resolve of controversy, did not reckon the Pope's authority or one. Divers of the Fathers did not scruple penly to dissent from the opinions of Popes; nor were they wondered at, or condemned for it. So St Paul did withstand St Peter<sup>P</sup>. So Polycarpus dissented from Pope Eleutherius. So Polycrates from Pope Victor. So St Cyprian from Pope Stephen. So Dionysius Alexandrinus from Pope Stephen. All which persons were renowned for wisdom and piety in their times.

Highest controversies were appeased by Synods out of the Holy Scripture, Catholic tradition, the analogy of faith, and common reason, without regard to the Pope. Divers Synods in Afric and Asia defined the point about rebaptization without the Pope's leave, and against his opinion. The synod of Antioch condemned the doctrine of Paulus Iamosenus, without intervention of the Pope, before they gave him notice. In the Synod of Nice the Pope had very small stroke. The General Synod of Constantinople declared the point of the Divinity of the Holy Ghost against Macedonius, without the Pope; who did no more than afterward consent: this the Synod of Chalcedon, in their Compellation to the Emperor Marcian, did

<sup>P</sup> Ἀντίστητο. — Gal. ii. 11.

observe: *The Fathers met in Sardica to suppress the relics of Arianism, communicated their Decrees to the Eastern Bishops; and they who here discovered the pestilence of Apolinarius, made known theirs to the Western*<sup>4</sup>. The Synod of Afric defined against Pelagius, before their informing Pope Innocentius thereof; not seeking his judgment, but desiring his consent to that, which they were assured to be truth.

Divers Popes have been incapable of deciding controversies, themselves having been erroneous in the questions controverted: as Pope Stephanus, (in part,) Pope Liberius, Pope Felix, Pope Vigilius, Pope Honorius, &c. And in our opinion all Popes for many ages.

It is observable how the Synod of Chalcedon, in their Allocution to the Emperor Marcian, do excuse Pope Leo for expounding the faith, in his Epistle, (the which it seems some did reprehend as a novel method disagreeable to the Canons<sup>5</sup>.) *Let not them, say they, object to us the Epistle of the marvellous Prelate of Rome, as obnoxious to imputation of novelty; but if it be not consonant to the Scriptures, let them confute it; or if it be not consonant to the Fathers who have preceded; or if it be not apt to confute the irreligious*<sup>6</sup>, &c. It was

<sup>4</sup> Καὶ οἱ μὲν ἐκ Σαρδικῆς κατὰ τῶν Ἀρείου λειψάνων ἀγωνισάμενοι, τοῖς ἐν ἀνατολῇ τὴν κρίσιν ἔξεπεμπον· οἱ δὲ ἐνταῦθα τὴν Ἀπολιωρίου λύμην φωράσατες, τοῖς ἐν δύσει τὴν ψῆφον ἐγνώριζον.—Conc. Chalced. ad Imp. Marc. Alloc. [Bin. Tom. III. p. 468 f.] [Mans. Conc. Tom. VII. col. 464 B.]

<sup>5</sup> Ὡς ξένην τινὰ, καὶ τοῖς κανόσιν οὐ νενομισμένην τῆς ἐπιστολῆς διαβάλλῃ τὴν σύνταξιν.—Ibid. [Bin. p. 465 c.] [Mans. col. 458 c.]

<sup>6</sup> Μὴ τοίνυν ἡμῖν τοῦ θαυμαστοῦ τῆς Ῥώμης προέδρου τὴν ἐπιστολὴν, ὡς κανονομίας ἔγαλημα, προσφερέτωσαν· ἀλλὰ εἰ μὴ σύμφωνος

it his judicial authority which they did insist  
on, to maintain his Epistle, but the orthodoxy  
and intrinsic usefulness of it to confute errors;  
on which account they did embrace and confirm  
by their suffrage.

XIII. If the Pope were a Sovereign of the  
Church, as they make him, it were at least expedient  
that he should be infallible; for why otherwise  
should he undertake confidently to pronounce  
in all cases, to define high and difficult points, to  
oppose his dictates, and require assent from all?  
If he be fallible, it is very probable that often he  
will obtrude errors upon us for matters of faith and  
practice.

Wherefore the true fast friends of Papal  
interest do assert him to be infallible, when he dic-  
teth as Pope, and setting himself into his chair  
will thence mean to instruct the whole Church<sup>t</sup>.  
And the Pope therefore himself, who countenanceth  
them, may be presumed to be of that mind.

Pighius said bouncingly, *The judgment of the Apostolic See with a Council of domestic Priests, is far more certain than the judgment of an Universal Council of the whole earth without the Pope*<sup>u</sup>.

This is the syllogism we propose:

The supreme judge must be infallible:

The Pope is not infallible: therefore—

τὸς γραφαῖς, ἐλεγχέτωσαν εἰ μὴ τοῖς προλαβοῦσι πατράσιν δμόδοξος·  
μὴ πρὸς δυστεθῶν κατηγορίαν γεγένηται. —Ibid. [Bin. p.  
69 d.] [Mans. col. 465 A.]

<sup>t</sup> Bellar. de S. Pontif. iv. [3, § 1. Summus Pontifex cum  
statim Ecclesiam docet, in his quæ ad fidem pertinent, nullo casu  
rare potest.]

<sup>u</sup> Longe certius est unius Apostoliceæ Sedis cum Concilio do-  
mesticorum sacerdotum judicium, quam sine Pontifice judicium  
universalis Concilii totius orbis terrarum. —Pighius de Hier. Lib. vi.

The major, the Jesuits, Canonists, and Courtiers are obliged to prove, it being their assertion; and they do prove it very wisely and strongly.

The minor is asserted by the French Doctors; and they do with clear evidence maintain it.

The conclusion we leave them to infer who are concerned.

It is in effect Pope Gregory's argumentation; no Bishop can be Universal Bishop, (or Universal Pastor and Judge of the Church,) because no Bishop can be infallible; for that the lapse of such a Pastor would throw down the Church into ruin, by error and impiety: *Therefore the Universal Church, which God forbid, falls, when he falls who is called universal*<sup>x</sup>.—*The state and order of our Lord's family will decay, when that which is required in the body is not to be found in the head*<sup>y</sup>.

But that he is not infallible, much experience and History do abundantly shew.

The ancients knew no such pretender to infallibility; otherwise they would have left disputing, and run to his oracular dictates for information. They would have only asserted this point against heretics. We should have had testimonies of it innumerable. It had been the most famous point of all<sup>z</sup>.

I will not mention Pope Stephanus universally

<sup>x</sup> *Universa ergo Ecclesia, quod absit, a statu suo corruit, quando is qui vocatur universalis cadit.*—Greg. M. Ep. v. 20. [Opp. Tom. II. col. 749 A.]

<sup>y</sup> *Totius familie Domini status et ordo nutabit, si quod requiritur in corpore, non inveniatur in capite.*—P. Leo. I. Ep. XII. [Opp. Tom. I. col. 669.]

<sup>z</sup> *In nullo aliter sapere quam res se habet, angelica perfectio est.*—Aug. de Bapt. contr. Don. II. 5. [Opp. Tom. IX. col. 99 D.] *Not to think of a thing otherwise than it is, is an angelical perfection.*

approving the Baptism of heretics against the decrees of the Synod of Nice and other Synods. Nor Pope Liberius complying with Arianism. Nor Pope Innocent I. and his followers, at least ill Pope Gelasius, first asserting the communion of infants for needful<sup>a</sup>. Nor Pope Vigilius dodging with the Fifth Synod. Nor Pope Honorius condemned by so many Councils and Popes for Monothelitism. But surely Pope Leo and Pope Gelasius<sup>b</sup> were strangely deceived, when they condemned partaking in one kind. Pope Gregory<sup>c</sup> was foully out, when he condemned the worship of images; and when he so declaimeth against the title of Universal Bishop; and when he avowed himself a subject to the Emperor Mauritius; and when he denied the books of Maccabees to be Canonical; and when he asserted the perfection of Holy Scripture. Pope Leo II. was mistaken, when he did charge his infallible predecessor Honorius of Monothelitism; Pope Nicholas was a little deceived, when he determined the attrition of

<sup>a</sup> P. Gelas. I. [Ep. VII. —— ipse Dominus Jesus Christus celesti voce pronunciat: *Qui non manducaverit carnem filii hominis, et biberit sanguinem ejus, non habebit vitam in semetipsum, ubi istique neminem videmus exceptum: nec ausus est aliquis dicere, larvulum sine hoc sacramento salutari ad aeternam vitam posse erudi.* —Bin. Tom. III. p. 629. c. 1 E.]

<sup>b</sup> Grat. Decret. Pars III. de Consecr. Dist. II. cap. 12. [Corp. Jur. Can. Tom. I. p. 454. P. Gelas. ad Major. et Joan. Episc. (c. an. 494. Romæ.) Comperimus autem, quod quidem sumpta tantummodo corporis sacri portione a calice sacri cruoris abstineant. Qui prædubio (quoniam nescio qua superstitione docentur obstringi) aut integra sacramenta percipient, aut ab integris arceantur: quia lūsio unius ejusdemque mysterii sine grandi sacrilegio non potest provenire.]

<sup>c</sup> Greg. I. Ep. VII. 110; II. 62; IV. 32, 36, 38; VI. 30. In Job. Lib. XIX. cap. 13; XVII. 14.

If many Popes had been writers, we should have had more errors to charge them with.

Christ's body<sup>d</sup>. Pope Urban II. was out, when he allowed it lawful for good Catholics to commit murder on persons excommunicate<sup>e</sup>. Pope Innocent IV. erred, when he called Kings the Pope's slaves<sup>f</sup>.

Surely those Popes did err, who confirmed the Synods of Constance and Basil; not excepting the determinations in favour of General Councils being superior to Popes<sup>g</sup>. All those Popes have devilishly erred, who have pretended to dispose of kingdoms; to depose Princes; to absolve subjects of their oaths. Pope Adrian II. did not take the Pope to be infallible, when he said he might not be judged, excepting the case of heresy; and thereby excuseth the Orientals for anathematizing Honorius, he being accused of heresy.

There is one heresy, of which, if all histories do not lie grievously, divers Popes have been guilty; a heresy defined by divers Popes; the *heresy of Simony*<sup>h</sup>. How many such heretics have sat in that

<sup>d</sup> Grat. Decret. Pars III. de Consecr. Dist. II. cap. 42. [Corp. Jur. Can. Tom. I. p. 458. *Confessio Berengarii*. (an. 1059. Romæ) Consentio autem sanctæ Romanae et Apostolicæ Sedi: et ore, et corde profiteor de Sacramentis Dominicæ Mensæ eamdem fidem me tenere, quam Dominus et venerabilis Papa Nicolaus, et hæc sancta Synodus auctoritate Evangelica et Apostolica tenendam tradidit, mibique firmavit (al. formavit): scilicet panem et vinum, quæ in altari ponuntur, post consecrationem non solum Sacramentum, sed etiam verum corpus et sanguinem Domini nostri Iesu Christi esse, et sensualiter non solum in Sacramento, sed in veritate manibus sacerdotum tractari, frangi, et fidelium dentibus atteri, &c.]

<sup>e</sup> Grat. Decret. Pars II. Caus. XXIII. Qu. 5, cap. 47. [Tom. I. p. 324. P. Urban. II. Godefr. Luc. Episc. (c. an. 1090.) Non enim eos homicidas arbitramur, quos adversus excommunicatos zelo Catholicæ matris ardentes, aliquos eorum trucidasse contigerit.]

<sup>f</sup> Mancipia Papæ.—Matt. Paris. Ann. 1253. [See p. 13 of this Treatise.]

<sup>g</sup> Joh. XXII. Gerson. Serm. in Pasch. Occam. Celestinus —. —Alph. a Castro. Hær. I. 4. Bin. Tom. VII. p. 994.

<sup>h</sup> Simoniaca hæresis. P. Greg. VII. Ep. III. 7. [Bin. Tom. VII. P. I. p. 374, c. 2 E.] [Mans. Conc. Tom. XX. col. 193 B.]

r! of which how many Popes are proclaimed by with a loud voice in History! *The hand, St Bernard, does all the Papal business: shew i man in all this greatest city who would adhe to be Pope without the mediation of a bribe!* how few for some ages have been guiltless of heresy! It may be answered, they were no s, because their election was null; but then Church hath often and long been without a . Then numberless acts have been void; and ions of Cardinals have been null; and contently there hath not probably been any true : for a long time.

in the judgment of so many great Divines, which constitute the Synod of Basil, many Popes (all surely) have been heretics; who have fol d or countenanced the opinion, that Popes are rior to General Councils; the which there is r declared heresy. Pope Eugenius by name there declared *A pertinacious heretic, deviating i the faith!*

*Id. P. Jul. II. Conc. Later. v. Sess. v. [Bin. Tom. ix. p. 57. — per Simoniacam hæresim in dando, promittendo vel iendo pecunias —.]*

*dem electus non Apostolicus, sed Apostaticus, et tanquam Simon m, et tanquam hæresiarcha, &c.—Ibid. [col. 1 E.]*

*Decernimus, quod — sed etiam contra dictum sic electum sumptum, de Simoniacâ labe a quoconque Cardinali, qui eidem ioni interfuerit, opponi et excipi possit, sicut de vera et inata hæresi —.—Ibid. [col. 1 D.]*

*Omne Papale negotium manus agunt; quem dabis mihi de maxima urbe, qui te in Papam receperit, pretio seu spe non interveniente?—Bern. de Consid. iv. 2. [Opp. Tom. iv. 1.]*

*A fide devius, pertinax hereticus —.—Conc. Basil. Sess. [Bin. Tom. viii. p. 96. c. 1 c.] [Mans. Conc. Tom. xxix. 80 D.] Cf. Sess. xl. [Bin. p. 107, c. 1 D.] [Mans. col. 204 D.]*

It often happeneth, that the Pope is not skilled in divinity, as Pope Innocent X. was wont to profess concerning himself, (to wave discourse about theological points:) he therefore cannot pronounce, in use of ordinary means, but only by miracle, as Balaam's ass. So Pope Innocent X. said, that *The Vicar of Jesus Christ was not obliged to examine all things by dispute; for that the truth of his Decrees depended only on Divine inspiration<sup>m</sup>.* What is this but downright Quakerism, enthusiasm, imposture?

Pope Clemens V. did not take himself to be infallible, when in his great Synod of Vienne, the question, whether, beside remission of sin, also virtue were conferred to infants, he resolved thus very honestly: *The second opinion, which says, that informing grace and virtues are in Baptism conferred both upon infants and upon adult persons, we think fit with the consent of the Holy Council to be chosen; as being more probable, and more consonant and agreeable to the divinity of the modern Doctors<sup>n</sup>.*

Which of the two Popes were in the right, Pope Nicholas IV. who decided that our Lord was so poor that he had right to nothing, or Pope John

<sup>m</sup> Le pape respondit, que le Vicaire de J. C. n'estoit point obligé d'examiner toutes choses par la dispute; que la vérité de ses décrets dépendoit seulement de l'inspiration divine.—*Memor. Hist. de 5 Propos.*

<sup>n</sup> —— *Opinionem secundam, (quæ dicit tam parvulis quam adultis conferri in Baptismo informantem gratiam et virtutes,) tanquam probabiliorem et dictis Sanctorum ac Doctorum moderatorum Theologis magis consonam et concordem, sacro approbante Concilio, duximus eligendam.*—*Clementin. Lib. i. Tit. i. § 3. [Corp. Jur. Can. Tom. ii. p. 351.]*

**XII.** who declared this to be a heresy, charging  
ur Lord with injustice<sup>o</sup>?

**XIV.** A Sovereign is in dignity and authority superior to any number of subjects, however injoined or congregated; as a head is above all the members, however compacted: he is not supreme, who is anywise subject or inferior to a state, or any assembly in his territory.

Therefore the Pope doth claim a superiority over all Councils<sup>p</sup>; pretending that their determinations are invalid without his consent and confirmation; that he can rescind or make void their decrees; that he can suspend their consultations, and translate or dissolve them. And Baronius reckons this as one error in Hincmarus, Bishop of Reims, that *He held as if the Canons of Councils were of greater authority in the Church of God than the Decrees of Popes: which, says he, how absurd and unreasonable an opinion it is<sup>q</sup>*, &c.

<sup>o</sup> Bellar. de S. Pont. iv. 14. *De ceteris Pontificibus, quibus non in fide solo tribuitur.*—[§ 7. *Trigesimus quintus est Nicolaus* . qui in capit. *Exiit de verborum significacione in Sexto definit, ristum verbo et exemplo docuisse perfectam paupertatem,* — *proinde talem paupertatem esse sanctam et meritoriam. Et e falsum esse et hereticum, docet Joannes XXII. in Extravagamus suis, titulo de verborum significacione.*]—Cf. Sext. Lib. v. t. xii. cap. 3. [Corp. Jur. Can. Tom. ii. p. 343.] Extrav. Joh. XII. Tit. xv. cap. 3—5. [Ibid. pp. 386, 388.]

<sup>p</sup> Bellarm. de Conc. ii. 17. [§ 1. *Tertia propositio. Summus pontifex simpliciter et absolute est supra Ecclesiam universalem, et intra Concilium Generale, ita ut nullum in terris supra se judicium noscat.* Hæc etiam est fere de fide, &c.]

<sup>q</sup> Plane significat majoris esse auctoritatis in Ecclesia Dei nones Conciliorum decretis Pontificum. Hæc quam sint absurdas ab omni ratione penitus aliena, &c.—Baron. Ann. 992. § 56. om. xvi. p. 223.]

Leo X. in Conc. Later. v. Sess. xi. Bin. Tom. ix. p. 152. 2<sup>r</sup>. Cum etiam solum Romanum Pontificem pro tempore

*That the authority of the Apostolic See in all Christian ages has been preferred before the Universal Church, both the Canons of our predecessors and manifold tradition do confirm<sup>r</sup>.*

This is a question stiffly debated among Romanists: but the most (as *Aeneas Sylvius*, afterward Pope Pius II. did acutely observe) with good reason do adhere to the Pope's side, because the Pope disposeth of benefices, but Councils give none.

But in truth anciently the Pope was not understood superior to Councils: for *Greater is the authority of the world than of one city*<sup>s</sup>, says St Jerome. He was but one Bishop, that had nothing to do out of his precinct. He had but his vote in them; he had the first vote, as the Patriarch of Alexandria the second, of Antioch the third—but that order neither gave to him or them any advantage, as to decision; but common consent, or the suffrages of the majority, did prevail. He was conceived subject to the Canons no less than other Bishops. Councils did examine matters decreed by him, so

existentem, tanquam auctoritatem super omnia Concilia habentem, Conciliorum indicendorum —— jus et potestatem habere, &c.]

Th. Cajet. Orat. in Conc. Later. v. Sess. ii. Ibid. p. 36. [c. 2c. Tantum enim abest, ut Ecclesia illa Pisana, vera Dei civitas sit, quantum abest, ut sancta et legitima sit, tantumque recedit a candore sanctitatis, quantum ad errorum sordes accedit, accedit autem plus tanto, quanto magis et Petrum Ecclesiae, et Papam Concilio, —— subjiceret conatur.]

<sup>r</sup> Apostolicae vero Sedis auctoritas, quod cunctis seculis Christianis, Ecclesiae prælata sit universæ, et Canonum serie paternorum et multiplici traditione firmatur.—P. Gelas. I. Ep. viii. [Bin. Tom. iii. p. 693 A.] [Mans. Conc. Tom. viii. col. 34 A.] (O impudicitiam!)

<sup>s</sup> Si auctoritas quæritur, orbis major est urbe.—Hier. [Ep. a. ad Evang. Opp. Tom. iv. Pars ii. col. 803.]

as to follow or forsake them as they saw cause. The Popes themselves did profess great veneration and observance of Conciliar Decrees. Pope Leo I. did oppose a Canon of the Synod of Chalcedon, (not pretending his superiority to Councils, but the inviolability of the Nicene Canons,) but it notwithstanding that opposition did prevail.

Even in the dregs of times, when the Pope had clambered so high to the top of power, this question in great numerous Synods of Bishops was agitated, and positively decided against him; both in doctrine and practice<sup>t</sup>.

The Synod of Basil affirmeth the matter of these Decrees to be a *verity of the Christian Faith, which whoever doth pertinaciously resist, is to be deemed a heretic*<sup>u</sup>. Those Fathers say, that *None*

<sup>t</sup> Vid. Conc. Const. Sess. iv. [Bin. Tom. vii. p. 1003, c. 2 r.]  
Et primo declarat, quod ipsa Synodus in Spiritu Sancto congregata legitime, Generale Concilium faciens, Ecclesiam Catholicam militantem representans, potestatem a Christo immediate habet, cui quilibet cuiuscunque status, vel dignitatis, etiam si Papalis existat, obediens tenetur in his, quae pertinent ad fidem et extirpationem dicti schismatis et reformationem generalem Ecclesiae Dei in capite et in membris.—Mans. Conc. Tom. xxvii. col. 585 b.]

Cf. Conc. Bass. Sess. II. [Bin. Tom. viii. p. 22, c. 1 d.] [Mans. Conc. Tom. xxxix. col. 21 d.]

Sess. xxxiii. [Bin. p. 95, c. 1 e.] — hæc Sancta Synodus definit, declarat, prout sequitur:

Veritas de potestate Concilii Generalis universalem Ecclesiam representantis, supra Papam, et quemlibet alterum, declarata per Constantiensem et hoc Basileensem Generalia Concilia, est veritatis Idei Catholicæ.

Veritas hæc, quod Papa Concilium Generale universam Ecclesiam representans, actu legitime congregatum, super declaratis in praefata veritate aut aliquo eorum, sine ejus consensu nullatenus authoritative potest dissolvere, aut ad alium tempus prorogare, aut de loco ad locum transferre, est veritas fidei Catholicæ.—Mans. col. 179 A.]

<sup>u</sup> Veritas Catholicæ Fidei, cui pertinaciter repugnans est censendus hereticus.—Sess. xxxiii. [Bin. p. 95, c. 1 e.] [Mans. col. 179 b.]

*of the skilful did ever doubt of this truth, that the Pope, in things belonging to faith, was subject to the judgment of the same General Councils<sup>x</sup>:—That the Council has an authority immediately from Christ, which the Pope is bound to obey<sup>y</sup>. Those Synods were confirmed by Popes, without exception of those determinations.*

Great Churches, most famous Universities, a mighty store of learned doctors of the Roman communion, have reverenced those Councils, and adhered to their doctrine. Insomuch that the Cardinal of Lorrain did affirm him to be an heretic in France, who did hold the contrary.

These things sufficiently demonstrate that the Pope cannot pretend to supremacy by universal tradition; and if he cannot prove it by that, how can he prove it? Not surely by Scripture, nor by Decrees of ancient Synods, nor by any clear and convincing reason.

XV. The Sovereign of the Church is by all Christians to be acknowledged the chief person in the world, inferior and subject to none; above all commands; the greatest Emperor being his sheep and subject.

He therefore now doth pretend to be above all Princes. Divers Popes have affirmed this superiority. They are allowed and most favoured by him, who teach this doctrine. In their Missal he is preferred above all Kings, being prayed for before them.

<sup>x</sup> *Nec unquam aliquis peritorum dubitavit summum Pontificem in his quæ fidem concernunt, judicio eorundem Conciliorum universalium esse subjectum.—Sess. XLV. (Decret.) [Bin. p. 117, c. 24.] [Mans. col. 226 B.]*

<sup>y</sup> *Concilium habet potestatem immediate a Christo, cui Papa obediens tenetur.—Sess. XXXVIII. [Bin. p. 101, c. 1 E.] [Mans. col. 192 B.]*

But in the primitive times this was not held; for St Paul requires every soul to be subject to the *Rom. xiii. 1.* higher powers. Then the Emperor was avowed the first person, next to God<sup>a</sup>: *To whom*, says Tertullian, *they are second, after whom they are first, before all and above all gods.* *Why? &c.*—*We worship the Emperor as a man next to God, and less only than God<sup>b</sup>.* And Optatus: *Since there is none above the Emperor but God who made him, while Donatus extolleth himself above the Emperor, he raises himself, as it were, above humanity, and thinks himself to be God, and not man<sup>c</sup>.*—*For the King is the top and head of all things on earth<sup>d</sup>.* Then even *Apostles, Evangelists, Prophets, all men whoever were subject to the Emperor<sup>d</sup>.* The Emperors did command them, even the blessed Bishops and Patriarchs of old Rome, Constantinople, Alexandria, Theopolis, and Jerusalem<sup>e</sup>. Divers Popes did avow themselves subject to the Emperor.

#### XVI. The confirmation of magistrates, elected

<sup>a</sup> As in Israel Saul was the head.—*1 Sam. xv. 17.*

<sup>b</sup> — a quo sunt secundi, post quem primi, ante omnes et super omnes deos. Quidni? cum super omnes homines, qui utique vivunt.—*Tertul. Apol. cap. xxx.* [Opp. p. 27 A.]

Colimus et Imperatorem — ut hominem a Deo secundum, et — solo Deo minorem.—*Id. ad Scap. cap. ii.* [Opp. p. 69 c.]

<sup>c</sup> Cum super Imperatorem non sit nisi solus Deus, qui fecit Imperatorem, dum se Donatus super Imperatorem extollit, jam quasi hominum excederat metas, ut prope, se Deum, non hominem aestimat. —*Lib. III. [cap. 3, p. 56.]*

<sup>d</sup> Βασιλεὺς γάρ κορυφὴ καὶ κεφαλὴ τῶν ἐπὶ τῆς γῆς ἔστιν ἀπάντων. —*Chrys. Ἀνδρ. Β.* [Opp. Tom. vi. p. 463.]

<sup>e</sup> Καὶ ἀπόστολος ἡσ, καὶ εὐαγγελιστὴς, καὶ προφήτης, καὶ δοτισοῦν. —*Id. in Rom. xiii. 1.* [Opp. Tom. III. p. 189.]

<sup>f</sup> Jubemus igitur beatissimos Episcopos et Patriarchas, hoc est senioris (seniores) Romæ, et Constantinopoleos, et Alexandriæ, et Theopoleos, et Hierosolymorum.—*Justinian. Novel. cxxiii. cap. 3.* Cf. P. Greg. M. [Ep. v. 20. Opp. Tom. II. col. 749 D.]

by others, is a branch of supremacy which the Pope doth assume<sup>1</sup>.

Baronius saith that this was the ancient custom; and that Pope Simplicius did confirm the election of Calendion, Bishop of Antioch<sup>2</sup>.

But the truth is, that anciently Bishops being elected did only give an account of their choice unto all other Bishops; especially to those of highest rank, desiring their approbation and friendship, for preservation of due communion, correspondence, and peace. So the Synod of Antioch gave account to the Bishops of Rome and Alexandria, and all their fellow-ministers throughout the world<sup>3</sup>, &c. of the election of Domnus after Paulus Samosatenus. So the Fathers of Constantinople acquainted Pope Damasus and the Western Bishops with the constitution of Nectarius, Flavianus, &c.

This was not to request confirmation, as if the Pope or other Bishops could reject the election, if regular, but rather to assure whom they were to

<sup>1</sup> P. Nic. I. Ep. ad Lotharium Regem; apud Grat. Dist. lxxii. cap. 4. [Corp. Jur. Can. Tom. I. p. 83. Porro scias, quia relatum est nobis, quod quicumque ad Episcopatum in Regno tuo provendus est, non nisi faventem tibi permittas eligi. Idcirco Apostolica auctoritate sub Divini judicii obtestatione injungimus tibi, ut in Treverensi urbe, et in Agrippina colonia nullum eligi patiaris, antequam relatum super hoc, nostro Apostolatui fiat.]

<sup>2</sup> Annal. Eccles. Anno 482, § 1. [Tom. VIII. p. 396, c. 1.—electus est Calendion Episcopus; moxque a collecta ibi Synodo directus est Anastasius Episcopus ad Romanum Pontificem, ex more, ut ejus electionem ratam haberet. — Probasse autem sanctum Simplicium Papam Calendionis electionem—literis ipsius significant.]

<sup>3</sup> Εβεβαιώσε τῷ θειοτάτῳ Γρηγορίῳ τὴν τῆς Καντακυούπολεως προεδρίαν.—Theodor. Eccl. Hist. v. 8. [Opp. Tom. III. p. 713.] Meletius confirmed the most holy Gregory in the Bishopric of Constantinople.

<sup>4</sup> Καὶ τοῖς κατὰ τὴν οἰκουμένην πᾶσι συλλειτουργοῖς.—Euseb. Eccl. Hist. VII. 30.

communicate with: *We have* (say the Fathers of the Synod against Paulus Samosatenus) *signified his*, (our choosing of Dominus into Paulus's room,) *that you may write to him, and receive letters of communion from him*<sup>1</sup>. And St Cyprian, *That you and our colleagues may know to whom they may write, and from whom they may receive letters*<sup>2</sup>.

Thus the Bishops of Rome themselves did acquaint other Bishops with their election, their faith<sup>3</sup>, &c. So did Cornelius; whom therefore St Cyprian asserteth as established by the consent and approbation of his colleagues: *When the place of Peter and the sacerdotal chair was void, which by God's will being occupied, and with all our consents confirmed*<sup>4</sup>, &c. — *and the testimony of our fellow-Bishops, the whole number of which all over the world unanimously consented*<sup>5</sup>.

The Emperor did confirm Bishops, as we see by that notable passage in the Synod of Chalcedon; where Bassianus, Bishop of Ephesus, pleading for himself saith: *Our most religious Emperor knowing these things presently ratified it, and by a memorial published it, confirming the Bishopric; afterwards he sent his rescript by Eustathius, the Silentiary, again confirming it*<sup>6</sup>.

<sup>1</sup> Ἐδηλώσαμέν τε ὑμῶν, δπως τούτῳ γράφητε, καὶ τὰ παρὰ τούτου παντακά δέχησθε γράμματα —.—Ibid.

<sup>2</sup> Ut scires tu, et collegae nostri quibus scribere, et literas mutuo quibus vos accipere oporteret —.—Cypr. Ep. LV. (ad Cornel.) Opp. p. 84.]

<sup>3</sup> Vid. P. Greg. Tract. de Unit. Eccl.

<sup>4</sup> Cum locus Petri, et gradus cathedrae sacerdotalis vacaret; quo occupato de Dei voluntate, atque omnium nostrum consensione firmato —.—Id. Ep. LII. [Opp. p. 68.]

<sup>5</sup> ——et coepiscoporum testimonio, quorum numerus universus per totum mundum concordi unanimitate consensit.—Ibid.

<sup>6</sup> Τούτη δὲ ταῦτα δι εὐεβεστατος ἡμῶν Βασιλεὺς, εἰδὼς τούτο αὐτὸν ιερεβαίσσεται καὶ εὐθέως διὰ ὑπομηστικοῦ ἐδῆλωσεν ἐν φανερῷ, βεβαιῶν

XVII. It is a privilege of Sovereigns to grant privileges, exemptions, dispensations.

This he claimeth; but against the laws of God and rights of Bishops; against the Decrees of Synods—against the sense of good men in all times.

XVIII. It is a prerogative of sovereign power, to erect, translate spiritual presidencies.

Wherefore this the Pope claimeth<sup>9</sup>. But at first he had nothing to do therein, except in his own Province or Diocese.

As Christianity did grow and enter into cities, so the neighbour Bishops did ordain Bishops there.

Princes often, as they did endow, so they did erect Episcopal Sees, and did, as was suitable, change places.

Pope Paschal II. doth by complaining attest to this, writing to the Archbishop of Poland: *What shall I say of the translations of Bishops, which among you are presumed to be made, not by Apostolic authority, but the King's command<sup>q</sup>?*

τὴν ἐπισκοπήν. μετὰ ταῦτα ἀπέστειλε σάκραν πάλιν διὰ Εὐσταθίου τοῦ Σιλεντιαρίου βεβαιῶσαν τὴν ἐπισκοπήν.—Conc. Chalc. Act. II. [Bin. Tom. III. p. 404 B.] [Mans. Conc. Tom. VII. col. 277 D.]

<sup>9</sup> P. Innoc. III. in Greg. IX. Decr. Lib. I. tit. 7. cap. 1. [P. Innoc. III. ad Antioch. Patriarch. (an. 1198). Cum ex illo generali privilegio, quod beato Petro, et per eum Ecclesie Romanæ Dominus noster indulxit, canonica postmodum manaverint instituta continentia maiores Ecclesiæ causas ad Sedem Apostolicam preferendas, ac per hoc translationes Episcoporum et Sedium mutationes, ad sumnum Apostolicæ Sedis Antistitem de jure pertineant, nec super his quicquam præter ejus assensum debeat immutari; miramur quod L. Apamen. (Apanien.) Electum in Tripolitanam Ecclesiam trans-tulisti, &c.—Corp. Jur. Can. Tom. II. p. 28.]

<sup>q</sup> Quid super Episcoporum translationibus loquar, quæ apud vos non auctoritate Apostolica, sed nutu Regis præsumuntur?—P. Pasch. II. Ep. VI. [Bin. Tom. VII. p. 517, c. 1 D.] [Mans. Conc. Tom. IX. col. 985 B.]

Præter auctoritatem nostram Episcoporum translationes præsumitis—.—Eadm. p. 115.

XIX. It is a great prerogative of sovereignty to impose taxes on the Clergy or people.

Wherefore the Pope doth assume this; as for instance that decree of Pope Innocent IV. in the First Synod of Lyons: *By the common consent of the Council we ordain that all the Clergy, as well those who are under authority as the Prelates, pay for three years a twentieth part of their Ecclesiastical revenues towards the assistance of the Holy Land, into the hands of those who shall be thereto appointed by the prudence of the Apostolic See. — And let all know that this they are bound faithfully to do under pain of excommunication*<sup>1</sup>.

But antiquity knew no such impositions: when the Church, the Clergy, the poor, were maintained and relieved by voluntary offerings, or obventions.

Even the invidious splendour of the Roman Bishop was supported by the oblations of matrons, as Marcellinus observeth<sup>2</sup>.

This is an encroachment upon the right of Princes, unto whom Clergymen are subjects, and bound to render tribute to whom tribute be-  
<sup>Rom. xiii. 7.</sup> longeth.

<sup>1</sup> Cæterum ex communi Concilii approbatione statuimus, ut omnes omnino Clerici, tam subditi quam prælati, vigesimam Ecclesiastarum proventuum, usque ad triennium, conferant in subsidium Terræ Sanctæ, per manus eorum, qui ad hoc Apostolica fuerint prævidentia ordinati. —— sciantque se omnes ad hoc fideliter observandum per excommunicationis sententiam obligatos.—Lugdun. Concil. 1. sub Innoc. IV. (anno 1245) [Bin. Tom. vii. p. 858, c. 1 r.] [Mans. Conc. Tom. xxiii. col. 629 E.]

<sup>2</sup> Ut ditentur oblationibus matronarum.—Am. Marcell. Lib. xxvii. [3, 14.] Vid. Const. Apost. II. 25.

Nam qui constituerunt vel fundarunt sanctissimas Ecclesias pro sua salute et communis reipublicæ, reliquerunt illis substantias, ut per eas debeatæ sacrae liturgiæ fieri, et ut illis a ministrantibus piis clericis Deus colatur.—Cod. Lib. I. tit. 3, sect. 42.

## SUPPOSITION VII.

A further grand assertion of the Roman party is this, that the Papal supremacy is indefectible and unalterable.

BUT good reasons may be assigned, why, even supposing that the Pope had an universal Sovereignty in virtue of his succession to St Peter conferred on him, it is not assuredly consequent, that it must always, or doth now belong to him. For it might be settled on him, not absolutely, but upon conditions, the which failing, his authority may expire. It might be God's will that it should only continue for a time. And there are divers ways whereby, according to common rules of justice, he might be disseized thereof.

1 If God had positively declared his will concerning this point, that such a Sovereignty was by him granted irrevocably and immutably, so that in no case it might be removed or altered, then, indeed, it must be admitted for such; but if no such declaration doth appear, then to assert it for such is to derogate from his power and providence; by exemption of this case from it. It is the ordinary course of Providence so to confer power of any kind or nature on men, as to reserve to himself the liberty of transferring it, qualifying it, extending or contracting it, abolishing it, according to his pleasure, in due seasons and exigencies of things. Whence no human power can be supposed absolutely stable, or immovably fixed in one person or place.

2 No power can have a higher source, or firmer ground, than that of the civil government hath; for all such power is from Heaven: and in relation to

hat it is said, *There is no power but from God*; John xix. *The powers that are, are ordained by God*: but yet Rom. xiii. *such power is liable to various alterations, and is like the sea, having ebbs and flows, and ever changing its bounds, either personal or local.*

Any temporal jurisdiction may be lost by those revolutions and vicissitudes of things, to which all human constitutions are subject; and which are ordered by the will and providence of the Most High, who ruleth in the kingdom of men, appointing over it whom he pleaseth; putting down one, and setting up another. Dan. v. 21.  
Ps. lxxv. 7.

Adam, by God's appointment, was Sovereign of the world; and his first-born successors derived the same power from him: yet in course of time that order hath been interrupted, and divers independent sovereignties do take place.

Every Prince hath his authority from God, or by virtue of Divine ordination, within his own territory; and according to God's ordinance the lawful successor hath a right to the same authority; yet by accidents such authority doth often fail totally, or in part, changing its extent.

Why then may not any spiritual power be liable to the same vicissitudes? Why may not a Prelate be degraded as well as a Prince? Why may not the Pope, as well as the Emperor, lose all, or part of his kingdom?

Why may not the successor of Peter, no less than the heir of Adam, suffer a defailure of jurisdiction?

That spiritual corporations, persons, and places, are subject to the same contingencies with others, is there is like reason to suppose, so there are

examples to prove: God removed his sanctuary *Jer. vii. 11.*, from Shiloh; *Go ye now unto my place, which was in Shiloh, where I set my name at first, &c.* He <sup>14.</sup> deserted Jerusalem. He removed the candlesticks. *Rev. ii. 5.* He placed Eli (of the family of Ithamar) in the <sup>1 Sam. ii.</sup> high priesthood, and displaced his race from it: *I* <sup>30.</sup> *1 Kings ii.* <sup>27.</sup> *said indeed, saith God, that thy house, and the house of thy father, should walk before me for ever: but now the Lord saith, Be it far from me, &c.*

3 The reason and exigency of things might be sufficient ground for altering an universal jurisdiction; for when it should prove very inconvenient or hurtful, God might order such an alteration to happen, and men be obliged to allow it.

As God first did institute one universal monarchy, but that form (upon the multiplication of mankind, and peopling of the earth) proving incommodious, Providence gave way for its change, and the setting up of particular governments, to which men are bound to submit; so God might institute a singular presidency of the Church; but when the Church grew vastly extended, so that such a government would not conveniently serve the whole, he might order a division, in which we should acquiesce.

4 It hath ever been deemed reasonable, and accordingly been practised, that the Church, in its exterior form and political administrations, should be suited to the state of the world, and constitution of worldly governments, that there might be no clashing or disturbance from each to other. Wherefore, seeing the world is now settled under so many civil sovereignties, it is expedient that Ecclesiastical discipline should be so modelled, as to

xomply with each of them. And it is reasonable, that any pretence of jurisdiction should vail to the public good of the Church and the world.

That it should be necessary for the Church to staint the same form of policy, or measure of power fixed to persons or places, can nowise be demonstrated by sufficient proof, and it is not consistent ith experience; which sheweth the Church to ave subsisted with variations of that kind.

There hath in all times been found much reason : necessity to make alterations, as well in the places and bounds of Ecclesiastical jurisdiction, as in secular empire. Wherefore St Peter's monarchy, reason requiring, might be cantonized into divers spiritual supremacies; and as other Ecclesiastical jurisdictions have been chopped and changed, enlarged or diminished, removed and extinguished, so ought that of the Roman Bishop. The Pope cannot retain power in any state against the will of the Prince: he is not bound to suffer correspondencies ith foreigners, especially such who apparently ave interests contrary to his honour and the good f his people.

5 Especially that might be done, if the con nuance of such a jurisdiction should prove abominably corrupt, or intolerably grievous to the church.

6 That power is defectible, which according to he nature and course of things doth sometime fail.

But the Papal succession hath often been interupted by contingencies, (of sedition, schism, intru ion, simoniacial election, deposition, &c. as before hewed,) and is often interrupted by vacancies rom the death of the incumbents.

7 If, leaving their dubious and false suppositions, (concerning divine institutions, succession to St Peter, &c.) we consider the truth of the case, and, indeed, the more grounded plea of the Pope, that Papal pre-eminence was obtained by the wealth and dignity of the Roman city, and by the collation or countenance of the imperial authority; then by the defect of such advantages it may cease or be taken away; for when Rome hath ceased to be the capital city, the Pope may cease to be head of the Church. When the civil powers, which have succeeded the imperial, each in its respective territory, are no less absolute than it, they may take it away, if they judge it fit; for whatever power was granted by human authority, by the same may be revoked; and what the Emperor could have done, each Sovereign power now may do for itself.

An indefectible power cannot be settled by man; because there is no power ever extant at one time greater than there is at another; so that whatever power one may raise, the other may demolish; there being no bounds whereby the present time may bind all posterity.

However, no human law can exempt any constitution from the providence of God; which at pleasure can dissolve whatever man hath framed. And if the Pope were divested of all adventitious power, obtained by human means, he would be left very bare; and hardly would take it worth his while to contend for jurisdiction.

8 However or whencesoever the Pope had his authority, yet it may be forfeited by defects and defaults incurred by him.

If the Pope doth encroach on the rights and

liberties of others, usurping a lawless domination, beyond reason and measure, they may in their own defence be forced to reject him, and shake off his yoke.

If he will not be content to govern otherwise than by infringing the Sacred Laws, and trampling down the inviolable privileges of the Churches, either granted by Christ, or established by the sanctions of General Synods; he thereby depriveth himself of all authority; because it cannot be admitted upon tolerable terms, without greater wrong of many others, (whose right outweigheth his,) and without great mischief to the Church, the good of which is to be preferred before his private advantage.

This was the maxim of a great Pope, a great stickler for his own dignity; for when the Bishop of Constantinople was advanced by a General Synod above his ancient pitch of dignity, that Pope opposing him did say, that *Whoever doth affect more than his due, doth lose that which properly belonged to him*<sup>t</sup>: the which rule, if true in regard to another's case, may be applied to the Pope: *For Matt. vii. 2. with what judgment ye judge, ye shall be judged; and with what measure ye mete, it shall be measured to you again.* On such a supposition of the Papal encroachment, we may return his words upon him: *It is too proud and immoderate a thing to stretch beyond one's bounds, and, in contempt of antiquity, to be willing to invade other men's right, and to oppose the Primacies of so many Metropolitans, on purpose to advance the dignity of one*<sup>u</sup>.

<sup>t</sup> *Propria perdit, qui indebita concupiscit.*—P. Leo. I. Ep. civ.  
[pp. Tom. i. col. 1149.]

<sup>u</sup> *Superbum nimis est et immoderatum ultra fines proprios*

*For the privileges of Churches, being instituted by the Canons of the Holy Fathers, and fixed by the Decrees of the venerable Synod of Nice, cannot be plucked up by any wicked attempt, nor altered by any innovation<sup>x</sup>.*

*Far be it from me, that I should in any Church infringe the Decrees of our ancestors made in favour of my fellow-priests; for I do myself injury, if I disturb the rights of my brethren<sup>y</sup>.*

The Pope surely (according to any ground of Scripture, or tradition, or ancient law) hath no title to greater principality in the Church, than the Duke of Venice hath in that state: now if the Duke of Venice, in prejudice to the public right and liberty, should attempt to stretch his power to an absoluteness of command, or much beyond the bounds allowed him by the constitution of that commonwealth, he would thereby surely forfeit his Supremacy, (such as it is,) and afford cause to the state of rejecting him: the like occasion would the Pope give to the Church by the like demeanour.

9 The Pope, by departing from the doctrine and practice of St Peter, would forfeit his title of successor to him; for in such a case no succession in place or in name could preserve it: *The Popes*

tendere, et antiquitate calcata alienum jus velle præripere; atque ut unius crescat dignitas, tot Metropolitanorum impugnare primatus ——. — Id. [Ep. cv. col. 1156.]

<sup>x</sup> *Privilegia enim Ecclesiarum, Sanctorum Patronum Canonibus instituta, et venerabilis Nicene Synodi fixa decretis, nulla possunt improbitate convelli, nulla novitate mutari.* — Id. [Ep. civ. col. 1149.]

<sup>y</sup> *Absit hoc a me, ut statuta majorum consacerdotibus meis in qualibet Ecclesia infringam; quia mihi injuriam facio, si fratrum meorum jura perturbo.* — P. Greg. I. Epist. n. 52. [Opp. Tom. n. col. 618 f.]

*themselves had swerved and degenerated from the example of Peter<sup>a</sup>.*

*They are not the sons of the Saints, who hold the places of the Saints, but they that do their works<sup>a</sup>.*  
(Which place is raised out of St Jerome.)

*They have not the inheritance of Peter, who have not the faith of Peter, which they tear asunder by ungodly division<sup>b</sup>.*

So Gregory Nazianzen saith of Athanasius, that *He was successor of Mark no less in piety than presidency: the which we must suppose to be properly succession<sup>c</sup>:* otherwise the Mufti of Constantinople is successor to St Andrew, of St Chrysostom, &c., the Mufti of Jerusalem to St James.

If then the Bishop of Rome, instead of teaching Christian doctrine, doth propagate errors contrary to it; if, instead of guiding into truth and godliness, he seduceth into falsehood and impiety; if, instead of declaring and pressing the laws of God, he delivereth and impositioneth precepts opposite, prejudicial, destructive of God's laws; if, instead of promoting genuine piety, he doth (in some instances) violently oppose it; if, instead of maintaining true Religion, he doth pervert and corrupt it by bold defalcations,

<sup>a</sup> Pontifices ipsi a Petri vestigiis discesserant.—Plat. in Vit. Joh. X. p. 275.

<sup>a</sup> Non sanctorum filii sunt, qui tenent loca sanctorum, sed qui exercent opera eorum.—Hieron. ad Heliod. apud Grat. Dist. xl. cap. 2. [Corp. Jur. Can. Tom. I. p. 53.]

<sup>b</sup> Non habent Petri haereditatem, qui Petri fidem non habent, quam impia divisione discerpunt.—Ambr. de Pœn. I. 7. [Opp. Tom. II. col. 399 c.]

<sup>c</sup> —— Ἐπὶ τὸν Μάρκου θρόνον ἀνάγεται, οὐχ ἡττον τῆς εὐσεβείας, ἢ τῆς προεδρίας διάδοχος——ἢν δὴ καὶ κυρίως ὑποληπτέον διαδοχήν. τὸ μὲν γὰρ ὅμηρωμον καὶ δμόθρον, τὸ δὲ ἀντίδοξον καὶ ἀντίθρον ——.  
—Greg. Naz. Or. xxi. [Opp. Tom. I. p. 390 B.]

by superstitious additions, by foul mixtures and alloys; if he coineth new creeds, articles of faith, new Scriptures, new sacraments, new rules of life, obtruding them on the consciences of Christians; if he conformeth the doctrines of Christianity to the interests of his pomp and profit, making gain godliness; if he prescribe vain, profane, superstitious ways of worship, turning devotion into foppery and pageantry; if, instead of preserving order and peace, he fomenteth discords and factions in the Church, being a make-bait and incendiary among Christians; if he claimeth exorbitant power, and exerciseth oppression and tyrannical domination over his brethren, cursing and damning all that will not submit to his dictates and commands; if, instead of being a shepherd, he is a wolf, worrying and tearing the flock by cruel persecution: he by such behaviour, *ipso facto*, depriveth himself of authority and office; he becometh thence no guide or pastor to any Christian; there doth in such case rest no obligation to hear or obey him; but rather to decline him, to discost from him, to reject and disclaim him<sup>d</sup>.

This is the reason of the case; this the Holy Scripture doth prescribe; this is according to the primitive doctrine, tradition, and practice of the Church. For,

10 In reason, the nature of any Spiritual office consisting in instruction in truth and guidance in virtue toward attainment of salvation; if any man

<sup>d</sup> Non facit Ecclesiastica dignitas Christianum.—Hier. [Ep. v. ad Heliod. Tom. iv. Pars ii. col. 10.]

Non omnes Episcopi, Episcopi sunt.—Id. ibid.

Οἱ παρ' αὐτοῖς κατάσκοποι, οὐ γὰρ ἐπίσκοποι.—Athan. [Hist. Arian. ad Monach. Tom. i. p. 346 c.] Vid. Const. Apost. viii. 2

doth lead into pernicious error or impiety, he thereby ceaseth to be capable of such office: as a blind man, by being so, doth cease to be a guide<sup>o</sup>; and much more he that declareth a will to seduce; for who so blind as he that will not see? No man can be bound to follow any one into the ditch; or to obey Matt. xv. any one in prejudice to his own salvation; to die <sup>14</sup> in his iniquity; seeing God saith in such a case, Ezek. xxxiii. 31. *μάτην σέβονται με, In vain do they worship me,* Matt. xv. 9. teaching for doctrines the precepts of men. They themselves do acknowledge, that heretics cease to be Bishops; and so to be Popes. Indeed they cease to be Christians<sup>o</sup>; for, *εξέστραπται ὁ τοιοῦτος, such a one is subverted.*

11 According to their principles, the Pope hath the same relation to other Bishops and Pastors of the Church, which they have to their people; he being Pastor of Pastors: but if any Pastor should teach bad doctrine, or prescribe bad practice, his people may reject and disobey him; therefore, in proportion, the Pastors may desert the Pope misguiding or misgoverning them. In such cases any inferior is exempted from obligation to comply with his superior, either truly or pretendedly such.

12 The case may be, that we may not hold communion with the Pope, but may be obliged to shun him; in which case his authority doth fail, and no man is subject to him.

<sup>o</sup> Μήτι δύναται τυφλὸς τυφλὸν ὀδηγεῖν;—Luke vi. 39.

<sup>1</sup> Bellar. de S. Pontif. II. 30. [§ 18. Est ergo quinta opinio vera, Papam haereticum manifestum, per se desinere esse Papam, et caput; sicut per se desinit esse Christianus et membrum corporis Ecclesiae.]

13 This is the doctrine of the Scripture. The High Priest and his fellows, under the Jewish economy, had no less authority than any Pope can now pretend unto; they did sit in the chair of Moses, and therefore all their true doctrines and lawful directions the people were obliged to learn and observe; but their false doctrines and impious precepts they were bound to shun<sup>g</sup>; and consequently to disclaim their authority, so far as employed in urging such doctrines and precepts; *ἀφετε αὐτοὺς*.  
 Matt. xxiii. 2.  
 Matt. xv. 6.  
 Matt. xv. 14.  
 Matt. vii. 15.  
 Matt. xxiv. 4.  
 Gal. i. 8.  
 9.  
 2 Cor. i. 24.  
 2 Cor. xiii. 8.

*Let them alone, saith our Saviour, they are blind leaders of the blind.* Under the Christian dispensation the matter is no less clear; our Lord commandeth us to beware of false prophets; and to see that no man deceive us; although he wear the clothing of a sheep, or come under the name of a shepherd (coming in his name—). St Paul informeth us, that if an Apostle, if an angel from heaven, doth preach beside the old Apostolical doctrine, (introducing any new Gospel, or a divinity devised by himself,) he is to be held accursed by us. He affirmeth, that even the Apostles themselves were not lords of our faith, nor might challenge any power inconsistent with the maintenance of Christian truth and piety; *We, saith he, can do nothing against the truth, but for the truth:* the which an ancient writer doth well apply to the Pope, saying, that he could do nothing against the truth more than any of his fellow-Priests could do<sup>h</sup>; which St

<sup>g</sup> Matt. xvi. 6.—*Οράτε καὶ προσέχετε ἀπὸ τῆς ζύμης —— ἀπὸ τῆς διδαχῆς.* Vers. 12. *Beware and take heed of the leaven —— of the doctrine.*

<sup>h</sup> Nec aliquid contra veritatem, sed pro veritate, plus ceteris suis consacerdotibus potest.—Facund. Hermian. II. 6. [inter Opp. Sirmondi, Tom. II. col. 464 B.]

Paul did in practice shew, when he resisted St Peter Gal. ii. 11, declining from the truth of the Gospel<sup>i</sup>. He charg-<sup>14</sup> eth, that if any one doth ἐτεροδιδασκαλεῖν, teach heterodoxies, we should stand off from him<sup>k</sup>; that *If any brother walketh disorderly, and not accord-* <sup>2 Thess. iii. 6.</sup> *ing to Apostolical tradition, we should withdraw* from him<sup>l</sup>; that if any one doth raise divisions and <sup>Rom. xvi. 17.</sup> scandals beside the doctrine received from the Apostles, we should decline from him<sup>m</sup>; that we are <sup>Tit. iii. 10.</sup> to refuse any heretical person. He telleth us, that <sup>Acts xx. 29, 30.</sup> grievous wolves should come into the Church, not sparing the flock<sup>n</sup>; that from among Christians there should arise men speaking perverse things, to draw disciples after them: but no man surely ought to follow, but to shun them.

These precepts and admonitions are general, without any respect or exception of persons great or small, Pastor or layman: nay, they may in some respect more concern Bishops than others; for that they declining from truth, are more dangerous and contagious.

<sup>14</sup> The Fathers (in reference to this case) do clearly accord, both in their doctrine and practice. St Cyprian telleth us, that *A people obedient to the Lord's commandments, and fearing God, ought to separate itself from a sinful Bishop*<sup>o</sup>; that is, from

<sup>i</sup> Ὡτὶς οὐκ ὀρθοποδοῦσι πρὸς τὴν ἀληθειαν τοῦ εὐαγγελίου.—Gal. ii. 14.

<sup>k</sup> Εἴ τις ἐτεροδιδασκαλεῖ —— ἀφίστασο ἀπὸ τῶν τοιούτων.—1 Tim. vi. 3, 5.

<sup>l</sup> Στῆλλεσθαι ἀπὸ παντὸς ἀδελφοῦ ——.—2 Thess. iii. 6.

<sup>m</sup> Ἐκελίνειν ἀπὸ αὐτῶν.—Rom. xvi. 17.

<sup>n</sup> Εἰσελεύσονται εἰς ὑμᾶς.—Acts xx. 29.

<sup>o</sup> Plebs obsequens præceptis Dominicis et Deum metuens a peccatore præposito separare se debet.—Ep. lxviii. [Opp. p. 118.]

one guilty of such sins which unqualify him for Christian communion, or pastoral charge; and, *Let not, addeth he, the common people flatter itself, as if it could be free from the contagion of guilt, if it communicate with a sinful Bishop<sup>P</sup>;* whose irreligious doctrine or practice doth render him uncapable of communion; for, *How (saith he otherwhere) can they preside over integrity and continence, if corruptions and the teaching of vices do begin to proceed from them<sup>q</sup>?* *They who reject the commandment of God, and labour to establish their own tradition, let them be strongly and stoutly refused and rejected by you<sup>r</sup>.*

St Chrysostom, commenting on St Paul's words, *If I, or an angel — saith, that St Paul meaneth to shew, that dignity of persons is not to be regarded where truth is concerned<sup>s</sup>;* that *If one of the chief angels from heaven should corrupt the Gospel, he were to be accursed<sup>t</sup>;* that *Not only, if they shall speak things contrary, or overturn all, but if they preach any small matter beside the Apostolical doctrine, altering the least point whatever, they are liable to an anathema<sup>u</sup>.* And otherwhere, very

<sup>P</sup> *Nec sibi plebs blandiatur, quasi immunis esse a contagio delicti possit cum sacerdote peccatore communicans.* —*Ibid.*

<sup>q</sup> *Quomodo enim possunt integritati et continentiae praeesse, si ex ipsis incipient corruptio[n]es et vitiorum magisteria procedere?* —*Ep. lxxi. [Opp. p. 103.]*

<sup>r</sup> *Qui mandatum Dei rejiciunt, et traditionem suam statuere conantur, fortiter a vobis et firmiter respuantur.* —*Ep. xl. [Opp. p. 54.]*

<sup>s</sup> *Ἄλλὰ δεῖξαι βουλόμενος, ὅτι ἀξίωμα προσώπων οὐ προσίσται, ὅτα περὶ ἀληθείας δὲ λόγος ἔστι.* —*In Gal. i. 9. [Opp. Tom. III. p. 718.]*

<sup>t</sup> *Καὶ γὰρ τῶν πρώτων ἀγγέλων ἡ τις τῶν ἐξ οὐρανοῦ, διαφθίρει τὸ κίρυγμα, ἀνάθεμα ἔστω.* —*In Gal. i. 8. [Ibid.]*

<sup>u</sup> *Καὶ οὐκ εἶπεν, ἐὰν ἐναντία καταγγίλλωσιν, ἢ διατρέπωσι τὸ τέλον.*

earnestly persuading his audience to render due respect and obedience to their Bishop, he yet interposeth this exception: *If he hath a perverse opinion, although he be an angel, do not obey him; but if he teacheth right things, regard not his life, but his words*<sup>2</sup>.

*Ecclesiastical judges, as men, are for the most part deceived*<sup>3</sup>.

*For neither are Catholic Bishops to be assented to, if peradventure in any case they are mistaken, so as to hold any thing contrary to the Canonical Scriptures of God*<sup>4</sup>.

*If there be any Church which rejects the faith, and does not hold the fundamentals of the Apostolical doctrine, it ought to be forsaken, lest it infect others with its heterodoxy*<sup>5</sup>.

If in such a case we must desert any Church, then the Roman; if any Church, then much more any Bishop, particularly him of Rome.

This hath been the doctrine of divers Popes. *Which not only the Apostolical Prelate, but any other Bishop may do, viz. discriminate and sever any men, and any place, from the Catholic communion,*

ἀλλὰ καν μικρὸν τι εὐαγγελίζωνται παρ' ὁ εὐηγγελισάμεθα, καν τὸ τυχὸν παρακινήσωται, ἀνάθεμα ἐστωσαν.—Ibid.

<sup>2</sup> Εἰ μὲν γὰρ δόγμα ἔχει διεστραμμένον, καν ἄγγελος γ, μὴ πείθου εἰ δὲ δρθὰ διδάσκει, μὴ τῷ βίῳ πρόστεχε, ἀλλὰ τοῖς ρήμασι.—In 2 Tim. Orat. II. [Opp. Tom. IV. p. 337.]

<sup>3</sup> Ecclesiastici judices ut homines plerumque falluntur.—Aug. contr. Cresc. II. 21. [Opp. Tom. IX. col. 423 A.]

<sup>4</sup> Quia nec Catholicis Episcopis consentiendum est, sicubi forte falluntur, ut contra Canonicas Dei Scripturas aliquid sentiant.—Id. de Unit. Eccl. cap. XI. [Opp. Tom. IX. col. 355 F.]

<sup>5</sup> Si qua est Ecclesia, quae fidem respuat, nec Apostolicae prædicationis fundamenta possideat; ne quam labem perfidie possit aspergere, deserenda est.—Amb. in Luc. ix. [Opp. Tom. I. col. 1399 E.]

according to the rule of that fore-condemned heresy<sup>b</sup>. Faith is universal, common to all, and belongs, not only to Clergymen, but also to laics, and even to all Christians<sup>c</sup>. Therefore the sheep which are committed to the cure of their Pastor ought not to reprehend him, unless he swerve and go astray from the right faith<sup>d</sup>.

15 That this was the current opinion, common practice doth shew, there being so many instances of those who rejected their superiors, and withdrew from their communion, in case of their maintaining errors, or of their disorderly behaviour; such practice having been approved, by general and great Synods, as also by divers Popes.

When Nestorius, Bishop of Constantinople, did introduce new and strange doctrine, *Divers of his Presbyters did rebuke him, and withdraw communion from him*<sup>e</sup>; which proceeding is approved in the Ephesine Synod.

Particularly Charisius did assert this proceeding in those remarkable words presented to that

<sup>b</sup> Quod non solum Praesuli Apostolico facere licet, sed cuicunque Pontifici, ut quoslibet et quemlibet locum, secundum regulam hæreseos ipsius ante damnatae, a Catholica communione discentant.—P. Gelas. I. Ep. iv. [Bin. Tom. III. p. 625 A.] [Mans. Conc. Tom. VIII. col. 17 c.]

<sup>c</sup> Fides universalis est, omnium communis est, non solum ad Clericos, verum etiam ad Laicos, et ad omnes omnino pertinet Christianos.—P. Nich. I. Ep. VIII. [Bin. Tom. VI. p. 506, c. 2 E.] [Mans. Conc. Tom. XV. col. 200 E.]

<sup>d</sup> Oves ergo quæ Pastori suo commissæ fuerint, eum nec reprehendere, nisi a recta fide exorbitaverit, debent —.—P. Joh. I. Ep. I. Bin. Tom. III. p. 812 c. [Mans. Conc. Tom. VIII. col. 603 D.]

<sup>e</sup> Εν τῷ συνεδρίῳ πολλάκις τινὲς τῶν εὐλαβεστάτων πρεσβυτήρων ἥλεγχαν αὐτὸν, καὶ διὰ τὴν ἀπειθεῖαν αὐτοῦ — τῆς αὐτοῦ κοινωνίας ἑαυτοὺς ἐξέβαλον —.—Conc. Eph. Part. I. [Bin. Tom. II. p. 220 B.] [Mans. Conc. Tom. IV. col. 1104 B.]

same Synod: *It is the wish and desire of all well-affected persons, to give always all due honour and reverence especially to their spiritual fathers and teachers: but if it should so happen, that they, who ought to teach, should instil unto those who are set under them such things concerning the faith, as are offensive to the ears and hearts of all men, then of necessity the order must be inverted, and they who teach wrong doctrine must be rebuked of those who are their inferiors*<sup>f</sup>.

Pope Celestine I. in that case did commend the people of Constantinople, deserting their Pastor: *Happy flock, said he, to whom the Lord did afford to judge about its own pasture*<sup>g</sup>.

St Jerome did presume to write very briskly and smartly in reproof of John, Bishop of Jerusalem, in whose province he a simple Presbyter did reside: *Who makes a schism in the Church? we whose whole house in Bethlehem communicate with the Church, or thou, who either believest aright, and proudly concealest the truth, or art of a wrong belief, and really makest a breach in the Church?—Art thou only the Church? And is he who offendeth thee excluded from Christ*<sup>h</sup>?

<sup>f</sup> Εὐχὴ μὲν ἀπασι τοῖς εὐ φρονοῦσι, τιμὴν δὲ καὶ πρέπουσαν αἰδῶ πνευματικοῖς μάλιστα πατράσι καὶ διδασκάλοις ἀπονέμειν· εἰ δέ που συμβῇ τοὺς διδάσκειν ὀφειλοντας τοιαῦτα τοῖς ὑπηκόοις ἐνηχεῖν περὶ τῆς πίστεως, οὐα τὰς ἀπάντων ἀκοὰς καὶ καρδίας καταβλάπτει, ἀνάγκη τὴν τάξιν ἀνταλλάπτεσθαι, καὶ τοὺς κακῶς διδάσκειν ἀλομένους ὑπὸ τῶν ἡσσόνων διελέγχεσθαι.—Charis. in Conc. Eph. Act. vi. [Bin. p. 358 f.] [Mans. col. 1345 b.]

<sup>g</sup> Μακάριος δὲ δομως η ἀγάλη ὡ παρέσχεν δ Κύριος κρίνειν περὶ τῆς ἴδιας νομῆς.—Celest. I. in Conc. Eph. [Bin. p. 190 b.] [Mans. col. 1037 b.]

<sup>h</sup> Quis scindit Ecclesiam? Nos, quorum omnis domus in Bethlehem in Ecclesia communicat? an tu qui aut bene credis, et

Malchion, Presbyter of Antioch, disputed against Paulus Samosatenus, his Bishop<sup>l</sup>.

Beatus, Presbyter, confuted his Bishop, Elipandus of Toledo: *But if the Rector swerve from the faith, he is to be reproved by those who are under him<sup>k</sup>.*

16 The case is the same of the Pope; for if other Bishops, who are reckoned successors of the Apostles, and Vicars of Christ within their precinct; if other Patriarchs, who sit in Apostolical Sees, and partake of a like extensive jurisdiction, by incurring heresy or schism, or committing notorious disorder and injustice, may be deprived of their authority, so that their subjects may be obliged to forsake them, then may the Pope lose his: for truth and piety are not affixed to the chair of Rome more than to any other; there is no ground of asserting any such privilege, either in Holy Scripture or in old tradition; there can no promise be alleged for it, having any probable show, (that of *Oravi pro te* being a ridiculous pretence,) it cannot stand without a perpetual miracle; there is in fact no appearance of any such miracle; from the ordinary causes of great error and impiety (that is,

superbo de fide taces: aut male et vere scidis Ecclesiam?—An tu solus Ecclesia es; et qui te offenderit a Christo excluditur?—Hier. Ep. xxxviii. ad Pammach. [Opp. Tom. iv. Pars ii. col. 333.] Cf. Ep. xxxix. ad Theoph.

<sup>l</sup> Malchion disertissimus Antiochenus Ecclesiae Presbyter, adversum Paulum Samosatenum, qui Antiochenus Ecclesiae Episcopus dogma Artemonis instaurarat,—disputavit.—Id. Catal. Script. Eccles. [Opp. Tom. iv. Pars ii. col. 120.]

<sup>k</sup> Quod si a fide exorbitaverit Rector, tunc erit a subditis argendum.—Isid. Hisp. [Sentent. Lib. iii. cap. 39, Opp. p. 469 d.] Vid. Thomam Aq. [in Quatuor Lib. Sent. Lomb. Lib. iv. Dist. xix. Art. 2 Opp. Tom. vii. p. 127.]

ambition, avarice, sloth, luxury) the Papal State is not exempt, yea, apparently, it is more subject to them than any other; all ages have testified and complained thereof.

17 Most eminent persons have in such cases withdrawn communion from the Pope; as elsewhere we have shewed by divers instances.

18 The Canon Law itself doth admit the Pope may be judged if he be a heretic: *Because he that is to judge all persons is to be judged of none, except he be found to be gone astray from the faith*<sup>1</sup>. The supposition doth imply the possibility; and therefore the case may be put that he is such, and then he doth (according to the more current doctrine ancient and modern) cease to be a Bishop, yea, a Christian; hence no obedience is due to him; yea, no communion is to be held with him.

19 This in fact was acknowledged by a great Pope, allowing the condemnation of Pope Honorius for good, because he was erroneous in point of faith: *For (saith he, in that which is called the Eighth Synod) although Honorius was anathematized after his death by the Oriental Bishops, it is yet well known that he was accused for heresy; for which alone it is lawful for inferiors to rise up against superiors*<sup>m</sup>.

Now that the Pope (or Papal succession) doth

<sup>1</sup> *Quia cunctos ipse judicaturus a nemine est judicandus, nisi deprehendatur a fide devius.*—Grat. Dist. xl. cap. 6. [Corp. Jur. Can. Tom. i. p. 53.] Vid. P. Innoc. III. apud Laun. contra Baronium.

<sup>m</sup> *Καὶ γὰρ εἰ καὶ τῷ Ὀνωρίῳ ὑπὸ τῶν Ἀνατολικῶν μετὰ θάνατον ἀπάθεμα ἐρρέθη, ὅμως γνωστὸν ἐστι, ὅτι ἐπὶ αἰρέσει κατηγορήθη, διὸ ἡρὶ καὶ μόνον ἔξεστι τούς ὑποδεεστέρους τῶν μειζόνων κατεχανίστασθαι.* Syn. viii. Act. vii. Bin. Tom. vi. p. 963 c. [Mans. Conc. Tom. xvi. col. 373 ε.]

pervert the truth of Christian doctrine, in contradiction to the Holy Scripture, and primitive tradition; that he doth subvert the practice of Christian piety, in opposition to the Divine commands; that he teacheth falsehoods, and maintaineth impieties, is notorious in many particulars, some whereof we shall touch.

We justly might charge him with all those extravagant doctrines and practices which the high-flying Doctors do teach, and which the fierce zealots upon occasion do act; for the whole succession of Popes of a long time hath most cherished and encouraged such folks, looking squintly on others, as not well affected to them; but we shall only touch those new and noxious or dangerous positions, which great Synods, managed and confirmed by their authority, have defined, or which they themselves have magisterially decreed; or which are generally practised by their influence or countenance.

It is manifest, that the Pope doth support and cherish as his special favourites the ventors of wicked errors; such as those who teach the Pope's infallibility, his power over temporal Princes, to cashier and depose them, to absolve subjects from their allegiance—the doctrine of equivocation, breach of faith with heretics, &c., the which doctrines are heretical, as inducing pernicious practice; whence whoever doth so much as communicate with the maintainers of them, according to the principles of ancient Christianity, are guilty of the same crimes.

The Holy Scripture and Catholic antiquity do teach and enjoin us to worship and serve God

one, our Creator; forbidding us to worship any <sup>Rev. xix.</sup> creature, or fellow-servant; even not angels: *For I* <sup>10;</sup> *xxii. 9.* *ho am a creature will not endure to worship one* <sup>Col. ii. 18.</sup> *ke to me*<sup>n</sup>. <sup>Rom. i. 25.</sup>

But the Pope and his clients do teach and charge us to worship angels and dead men; yea, even to venerate the relics of the dead bodies of the Saints<sup>o</sup>.

The Holy Scripture teacheth us to *judge nothing* (about the present or future state of men, <sup>1 Cor. iv. 5.</sup> <sup>Rom. xiv. 4.</sup> absolutely) *before the time, until the Lord come, ho will bring to light the hidden things of darkness, and will make manifest the counsels of hearts, and then each man shall have praise of God.*

But the Pope notoriously (in repugnance to those precepts, anticipating God's judgment, and arrogating to himself a knowledge requisite thereto) doth presume to determine the state of men, canonizing them, declaring them to be Saints, and proposing them to be worshipped; and on the other side, he dammeth, curseth, and censureth his fellow-servants.

God in his law doth command us not to bow own ourselves unto any image, or worship the likeness of any thing in heaven, or earth, or under the earth<sup>p</sup>; the which law (whether moral or positive)

<sup>n</sup> Κτίσμα γὰρ ὁν, οὐκ ἀνέξομαι τὸν δόμοιον προσκυνεῖν.—Bas. apud Iozom. vi. 16.

<sup>o</sup> Similiter et Santos una cum Christo regnantes venerandos tque invocandos esse: — atque horum reliquias esse venerandas.—Pii IV. Profess. Fid.

Bonum atque utile esse suppliciter eos invocare—sanctorum quoque martyrum, et aliorum cum Christo viventium sancta corpora— a fidelibus veneranda esse.—Conc. Trid. Sess. xxv.

<sup>p</sup> Οὐ ποιήσεις σεαυτῷ εἰδώλον, οὐδὲ παντὸς δόμοιομα—.—Exod. xx. 4.

the Gospel doth ratify and confirm, charging us to keep ourselves from idols, and to fly worshiping of idols, that is, to observe the Second Commandment; the validity whereof the Fathers most expressly assert; and divers of them were so strict in their opinion about it, that they deemed it unlawful so much as to make any image.

But the Pope and his adherents (in point-blank opposition to Divine law and primitive doctrine) require us to fall down before and to worship images: *Moreover we decree, that the images of Saints be especially had and retained in Churches, and that due honour and veneration be imparted to them — so that by those images which we kiss, and before which we uncover the head and fall down, we adore Christ, and venerate the Saints whose likeness they bear*<sup>4</sup>.

Neither is he satisfied to recommend and decree these unwarrantable venerations, but (with a horrible strange kind of uncharitableness and ferity) doth he anathematize those who teach or think any thing opposite to his Decrees concerning them<sup>5</sup>; so that if the ancient Fathers should live now, they would live under this curse.

*Ezek. xviii. Luke xv. Rom. x. 9. Mark i. 15.* The Holy Scripture, under condition of repentance and amendment of life, upon recourse to God and trust in his mercy, through Jesus Christ our

<sup>4</sup> *Imagines porro — Sanctorum in templis prescritum habendas, et retinendas; eisque debitum honorem et venerationem impertiendam — ita ut per imagines, quas osculamur, et coram quibus caput aperimus, et procumbimus, Christum adoremus, et Sanctos quorum ille similitudinem gerunt, veneremur.* — Conc. Trid. Sess. xxv.

<sup>5</sup> *Si quis autem his decretis contraria docuerit, aut senserit; anathema sit.* — Ibid.

Saviour, doth offer and promise remission of sins, acceptance with God, justification and salvation; this is the tenor of the Evangelical Covenant; nor did the primitive Church know other terms.

But the Pope doth preach another doctrine, and requireth other terms, as necessary for remission of sins and salvation; for he hath decreed the confession of all and each mortal sin, which a man by recollection can remember, to a Priest, to be necessary thereto; anathematizing all who shall say the contrary<sup>\*</sup>; although the Fathers (particularly St Chrysostom frequently) have affirmed the contrary. The which is plainly preaching another Gospel, (forged by himself and his abettors,) as offering remission upon other terms than God hath prescribed; and denying it upon those which Christianity proposeth.

He teacheth that no sin is pardoned without absolution of a Priest.

He requireth satisfaction imposed by a Priest, besides repentance and new obedience, as necessary: which is also another Gospel<sup>t</sup>.

He dispensemeth pardon of sin upon condition of performances unnecessary and insufficient; such as

<sup>\*</sup> *Si quis dixerit, in Sacramento Pœnitentiae ad remissionem peccatorum necessarium non esse jure divino, confiteri omnia et singula peccata mortalia, quorum memoria cum debitis et diligentis remeditatione habeatur—anathema sit.—Sess. xiv. de Pœn. an. vii. If any one shall say, that in the Sacrament of Penance it not necessary by divine right to confess all and singular mortal sins, the remembrance whereof may be had by due and diligent pre- meditation,—let him be anathema.*

<sup>t</sup> *Si quis negaverit, ad integrum et perfectam peccatorum remissionem requiri—Contritionem, Confessionem, et Satisfactionem.—Sess. xiv. Can. iv. If any shall deny that Contrition, Confession, and Satisfaction, is required, to the entire and perfect remission of sin.*

undertaking pilgrimages to the shrines of Saints, visiting Churches, making war upon infidels<sup>u</sup> or heretics, contributing money, repeating prayers, undergoing corporal penances, &c. : which is likewise to frame and publish another Gospel.

These doctrines are highly presumptuous, and well may be reputed heretical.

Rom. xiii.  
I—7.  
Tit. iii. 1.  
1 Pet. ii.  
13.

God hath commanded, that every soul should be subject to the higher powers temporal, as to God's Ministers; so as to obey their laws, to submit to their judgments, to pay tribute to them. And the Fathers<sup>x</sup> expound this law to the utmost extent and advantage: *If every soul, then yours; if any attempt to except you, he goes about to deceive you<sup>y</sup>.*

But the Pope countermandeth, and exempteth all Clergymen from those duties, by his Canon Law<sup>z</sup>; excommunicating lay judges, who shall perform their office in regard to them: *Because, indeed, some lay persons constrain Ecclesiastics, yea and Bishops themselves, to appear before them, and to stand to their judgment, those that henceforth*

<sup>u</sup> *Eis, qui Hierosolymam proficiscuntur, et ad Christianam gentem defendendam, et tyrannidem infidelium debellandam efficaciter auxilium præbuerint, quorum peccatorum remissionem concedimus* ——. —Conc. Lat. I. sub P. Calix. II. (anno 1122.) Can. XI. [Bis. Tom. VII. p. 567, c. 1 B.] [Mans. Conc. Tom. XXI. col. 284 A.] *And whoever go to Jerusalem, and powerfully afford help to defend Christian people, and to subdue the tyranny of infidels, to them we grant forgiveness of their sins* ——.

<sup>x</sup> Vid. Chrys. in Rom. xiii. 1. [Opp. Tom. III. p. 189.]

<sup>y</sup> *Si omnis et vestra — Si quis tentat excipere, conatur decipere.* —Bern. Ep. XLII. [Tract. de Mor. et Off. Episc. cap. VII. Opp. Tom. IV. p. 31. c. 1.]

<sup>z</sup> —*Lex Canonica simpliciter exemit Clericos in omnibus causis tum civilibus, tum criminalibus.* —Bellar. de Clericis, I. [25 § 14.]

*shall presume to do so, we decree that they shall be separate from the communion of the faithful<sup>a</sup>.*

The Scriptures do represent the King (or temporal Sovereign) as supreme over his subjects, to whom all are obliged to yield special respect and obedience: the Fathers<sup>b</sup> yield him the same place, above all, next to God; and subject to God alone: the ancient good Popes<sup>c</sup> did acknowledge themselves servants and subjects to the Emperor.

But later Popes, like *The man of sin* in St Paul, <sup>2 Thess. ii. 4.</sup> have advanced themselves above all civil power; claiming to themselves a supereminency, not only of rank, but of power, over all Christian Princes; even to depose them: *Christ has committed the*

<sup>a</sup> Sane, quia Laici quidam Ecclesiasticas personas et ipsos etiam Episcopos suo judicio stare compellunt: eos qui de cætero id præsumperint, a communione fidelium decernimus segregandos.—Conc. Later. III. sub P. Alex. III. (anno 1180) Can. xiv. [Bin. Tom. VII. p. 660, c. 1 e.] [Mans. Conc. Tom. xxii. col. 226 c.]

Cf. Conc. Later. II. sub P. Innoc. II. (anno 1139.) Can. xv. [Bin. p. 595, c. 1 f.] Item placuit, ut si quis suadente Diabolo hujus sacrilegii reatum incurrit, quod in Clericum vel Monachum violentias manus injecerit, anathematis vinculo subjaceat, et nullus Episcoporum illum præsumat absolvere, nisi mortis urgente periculo, donec Apostolico conspectui præsentetur, et ejus mandatum suscipiat.—Mans. Conc. Tom. xxi. col. 530 c.]

P. Steph. VI. Ep. I. ad Basil. Imp. [Bin. Tom. VII. p. 130, c. 1 e.] Scis sacrum illum elogium, quod ait: *Nolite tangere Christos meos, et in Prophetis meis nolite malignari.* Hec de omnibus Sacerdotibus dicta sunt. Deo te æqualem facis, qui ejus Angelos judicare audes. Dicit enim Propheta: *Labia Sacerdotis loquentur iudicium, et legem exquirunt de ore ejus: Angelus enim est Domini omnipotens.* Quomodo judicabis Sacerdotes, qui solius Dei sententiae subjiciuntur, et qui soli facultatem habent ligandi atque solvendi?—Mans. Conc. Tom. xviii. col. 12 c.]

Cf. P. Nic. I. Ep. VIII. Bin. Tom. vi. p. 513.

<sup>b</sup> Tertull. [Apol. cap. xxx. Opp. p. 27 a.] Optat. [Lib. III. cap. 3. p. 56.]

<sup>c</sup> P. Greg. I. Ep. [Lib. III. 65. Opp. Tom. II. col. 676 a.] P. Agatho, &c. [See p. 27 of this Treatise.]

*rights both of terrestrial and celestial government to that blessed man who bears the keys of eternal life<sup>d</sup>.*

*If the secular powers be believers, God would have them subject to the Priests of the Church—Christian Emperors ought to submit, and not prefer the execution of their laws to the Rulers of the Church<sup>e</sup>.*

God by indispensable law hath obliged us to retain our obedience to the King, even pagan; charging us under pain of damnation to be subject to him, and not to resist him.

But the Pope is ready upon occasion to discharge subjects from that obligation, to absolve them from their solemn oaths of allegiance, to encourage insurrection against him, to prohibit obedience: *We observing the Decrees of our holy predecessors, by our Apostolical authority absolve those from their oath who were bound by their fealty and oath to excommunicated persons: and we forbid them by all means that they yield them no allegiance, till they come and make satisfaction<sup>f</sup>. For they are constrained by no authority to perform the allegiance*

<sup>d</sup> *Christus beato aeternae vite clavigero terreni simul et cœlestis imperii jura commisit.*—P. Nic. II. apud Grat. Dist. xxii. cap. 1. [Corp. Jur. Can. Tom. I. p. 29.]

Cf. P. Greg. VII. Ep. viii. 21. [Bin. Tom. vii. Pars I. p. 443, c. 2 f.] apud Grat. Caus. xv. Qu. 6. cap. 3. [Corp. Jur. Can. Tom. I. p. 260. Alius item Romanus Pontifex, Zacharius scilicet, Regem Francorum—a Regno depositus: et Pipinum Caroli Magni Imperatoris patrem in ejus locum substituit.]

<sup>e</sup> *Seculi potestates si fideles sunt, Deus Ecclesiae sue Sacerdotibus voluit esse subjectas—Imperatores Christiani subdere debent executiones suas Ecclesiasticis Præsulibus, non præferre.*—P. Joh. VIII. [fortè c. ann. 873.] apud Grat. Dist. xcvi. cap. 11. [Corp. Jur. Can. Tom. I. p. 119.]

<sup>f</sup> *Nos sanctorum prædecessorum nostrorum statuta tenentes, eos, qui excommunicatis fidelitate aut sacramento constricti sunt,*

*which they have sworn to a Christian Prince, who is an adversary to God and his Saints, and contemns their commands<sup>g</sup>.*

Thus doth he teach and prescribe rebellion, perjury—together with all the murders and rapines consequent on them: which is a far greater heresy, than if he should teach adultery, murder, or theft to be lawful.

Not only the Holy Scripture, but common sense Ezek. xiii. 3, &c. doth shew it to be an enormous presumption to obtrude for the inspirations, oracles, and dictates of God, any writings or propositions, which are not really such.

This the Pope doth notoriously, charging us to admit divers writings (which the greatest part of learned men in all ages have refused for such) as Sacred and Canonical; anathematizing all those who do not hold each of them for such<sup>h</sup>:—even as they are extant in a translation, not very exact, and framed partly out of Hebrew, partly out of Greek, upon divers accounts liable to mistake; as its author St Jerome doth avow: *But if any shall not receive for Sacred and Canonical those whole books, with the parts of them, according as they have*

Apostolica auctoritate a sacramento absolvimus; et ne eis fidelitatem obseruent omnibus modis prohibemus; quousque ipsi ad satisfactionem veniant.—Greg. VII. [ann. 1078.] in Syn. Rom. Grat. Caus. xv. Qu. 6. cap. 4. [Corp. Jur. Can. Tom. 1. p. 260.]

g Fidelitatem enim quam Christiano Principi jurarunt, Deo ejusque sanctis adversanti, et eorum præcepta calcanti, nulla cohibentur auctoritate persolvere.—P. Urb. II. [c. ann. 1090.] apud Grat. Caus. xv. Qu. 6. cap. 5. [Ibid.]

h Si quis autem libros ipsos integros cum omnibus suis partibus, prout in Ecclesia Catholica legi consueverunt, et in veteri vulgata Latina editione habentur, pro Sacris et Canonicis non suscepere— anathema sit.—Conc. Trid. Sess. iv.

been wont to be read in the Ca  
had in the old vulgate Lat  
anathema. According to w  
consent with St Jerome, St A  
&c. with common sense, wi  
Second of Maccabees himsel  
What can be more uncharita  
silly, than such a definition?

He pretendeth to infalli  
them who attribute it to hin  
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The Scripture doth avow  
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But the Pope doth obtr  
of his Church (divers of wh  
dubious, vain—) to be worsh  
ence as the Holy Scripture;  
venerates, with the like pio  
ence, the traditions themsel  
preserved by continual succ  
Church<sup>i</sup>. Among which tra  
the tricks and trumpery o  
together with all their new n  
extreme unction, &c.

<sup>i</sup> ——nec non traditiones ipsas  
Ecclesia Catholica conservatas, pari  
suscipit, et veneratur.—Syn. Trid. Se

<sup>k</sup> Ceremonias item adhibuit, ut m  
thymiamata, vestes, aliaque id genus  
et traditione—.—Conc. Trid. Ses  
Church has also made use of ceremonies  
incensings, garments, and many other  
discipline and tradition.

Vid. Sess. XXII. de Sacrif. Missa  
ceremonias, vestes, et externa signa,  
tione Ecclesia Catholica utitur, irrit  
quam officia pietatis; anathema sit.]

The Scriptures affirm themselves to be written for common instruction, comfort, edification in all piety<sup>1</sup>; they do therefore recommend themselves to be studied and searched by all people; as the best and surest means of attaining knowledge and finding truth. The Fathers<sup>m</sup> also do much exhort all people (even women and girls) constantly to read, and diligently to study the Scriptures.

But the Pope<sup>n</sup> doth keep them from the people, locked up in languages not understood by them; prohibiting translations of them to be made, or used. The Scripture teacheth, and common sense sheweth, and the Fathers do assert, (nothing, indeed, more frequently or more plainly,) that all necessary

<sup>1</sup> Cf. 2 Tim. iii. 15 (*ἀπὸ βρίφους*).—Rom. xv. 4; 1 Cor. ix. 10; x. 11; 2 Pet. i. 20; John v. 39; Acts xvii. 11; Psalm cxix. —.

<sup>m</sup> Chrys. in Colos. Or. ix. Opp. Tom. iv. p. 136. [Ακούσατε ὅσοι ἐστὲ κοσμικοὶ, καὶ γυρακὸς καὶ παιδῶν προστασθε, πῶς καὶ ὑμῖν ἐπιτρέπει μᾶλιστα τὰς γραφὰς ἀναγνώσκειν.]

Aug. Serm. LV. de Temp. [Serm. cXL. Opp. Tom. v. (App.) col. 249 A.—Si Scripturas Divinas aut ipsi non legimus, aut legentes alios non libentes audimus—.]

Hier. ad Lætam. [De Instit. Filiæ, Ep. LVII. Opp. Tom. IV. P. II. col. 595. Pro gemmis et serico divinos Codices amet—Discat primo Psalterium, his se canticis avocet; et in Proverbiis Salomonis erudiatur ad vitam. In Ecclesiasto consuescat, quæ mundi sunt calcare. In Job virtutis et patientiæ exempla sectetur. Ad Evangelia transeat, nunquam ea positura de manibus. Apostolorum Acta et Epistolas, tota cordis imbibat voluntate. Quumque pectoris sui cellarum his opibus locupletaverit, mandet memoris Prophetas, Heptateuchum, et Regum et Paralipomenon libros, Exæ quoque et Esther volumina. Ad ultimum, sine periculo discat Canticum Canticorum—Caveat omnia apocrypha.] Cf. Epitaph. Paul. Vit. Hilar.

<sup>n</sup> N. P. Pius IV. did authorize certain rules for prohibition and permission of books; in which it is permitted to Bishops to grant a faculty of reading the Scriptures translated—but to this rule there is added an observation, that *this power was taken from Bishops by command of the Roman Universal Inquisition*.—Ind. Lib. Prohib. a Clem. VIII.

points of faith and good mora  
<sup>2 Tim. iii.</sup> evidence couched in Holy Sc  
<sup>17.</sup> of God, or a pious man, may t  
 nished to every work; but th  
 pheme the Scriptures, as obs

Common sense dictateth,  
 be performed with understand  
 that consequently they should  
<sup>1 Cor. xiv.</sup> and St Paul expressly teache  
<sup>14, 15.</sup> for private and public edific  
 trine of Paul it appears, th  
 edification of the Church, that  
 are said in the audience of  
 said in a tongue common t  
 people, than that they should l  
 ancient Churches did accor  
 most others do so, beside t  
 doth ride.

But the Pope will not ha  
 Public Liturgy to be celeb  
 tongue; and that most Chri  
 devotions like parrots. He  
 who think the Mass should l  
 gar tongue<sup>P</sup>; that is, all those  
 wits, and think it fit to foll  
 Ancient Church.

The Holy Scripture teac  
 but one Head of the Church  
 avow no other (as we have of

<sup>o</sup> Ex hac Pauli doctrina habetur,  
 redificationem orationes publicas, quae  
 dici lingua communi Clericis et populo  
 in 1 Cor. xiv. 14.

<sup>P</sup> ——aut lingua tantum vulgari M  
 anathema sit.—Sess. xxii. Can. ix.

But the Pope assumeth to himself the Headship of the Church, affirming all power and authority to be derived from him into the subject members of the Church<sup>q</sup>.

*We decree that the Roman Pontiff is the true Vicar of Christ, and the Head of the whole Church<sup>r</sup>.*

The Scripture declareth, that God did institute <sup>Matt. xix.</sup> marriage for remedy of incontinency and prevention <sup>ii.</sup> of sin; forbidding the use of it to none, who should think it needful or convenient for them<sup>s</sup>; reckoning <sup>i Tim. iv.</sup> the prohibition of it<sup>t</sup> among heretical doctrines; <sup>3 Cor. vii.</sup> implying it to be *imposing a snare<sup>u</sup>* upon men. <sup>35.</sup>

But the Pope and his complices do prohibit it to whole orders of men, (Priests, &c.) engaging them into dangerous vows<sup>x</sup>.

Our Lord forbiddeth any marriage lawfully contracted to be dissolved, otherwise than in case of <sup>Matt. v.</sup> <sup>32; xix. 7.</sup> <sup>i Cor. vii.</sup> <sup>10.</sup> adultery.

But the Pope commandeth Priests married to

<sup>q</sup> A quo tanquam capite omnis in subjecta membra potestas et auctoritas derivatur.—P. Pius II. in Bull. Retract.

<sup>r</sup> Definimus Romanum Pontificem—verum Christi Vicarium totiusque Ecclesiae Caput.—Defin. Syn. Flor. [See p. 48 (note) of this Treatise.]

<sup>s</sup> Μὴ οὐκ ἔχομεν ἔξουσίαν;— 1 Cor. ix. 5.

<sup>t</sup> Καλυότων γαμεῖν 1 Tim. iv. 3.

<sup>u</sup> Βρόχον ἐπιβάλλειν 1 Cor. vii. 35.

<sup>x</sup> Conc. Rom. i. sub P. Greg. VII. (ann. 1074). Bin. Tom. vii. Pars i. p. 465. [c. 2 b. Ad expurgandam Ecclesiam a concubinariis sacerdotibus principio statuerunt, ut secundum instituta antiquorum Canonum, Presbyteri uxores non habeant, habentes aut dimittant, aut deponantur. Nec quisquam omnino ad Sacerdotium admittatur, qui non in perpetuum continentiam vitamque cœlibem profiteatur.—Mans. Conc. Tom. xx. col. 401 b.]

Vid. Conc. Trid. Sess. xxiv. de Matr. Can. ix. [Si quis dixerit, Clericos in sacris ordinibus constitutos, vel Regulares, castitatem solemniter professos, posse matrimonium contrahere, contractumque validum esse—anathema sit.]

be divorced ; and *That marriages contracted by such persons should be dissolved*<sup>y</sup>.

He dissolveth matrimony agreed, by the profession of Monks of one of the espoused : *If any shall say, that matrimony confirmed, not consummated, is not dissolved by the solemn profession of religion of either party, let him be anathema*<sup>z</sup>.

Our Saviour did institute and enjoin us (under pain of damnation, if we should wilfully transgress his order) to eat of his body, and drink of his blood, in participation of the Holy Supper<sup>a</sup>. The Fathers did accordingly practise, with the whole Church, till late times.

But *Notwithstanding Christ's institution*<sup>b</sup>, (as they express it,) Papal Synods do prohibit all Laymen, and Priests not celebrating, to partake of Christ's blood<sup>c</sup>; so maiming and perverting our Lord's institution.

<sup>y</sup> *Contracta quoque matrimonia ab hujusmodi personis disjungi.*  
—Conc. Lat. I. (anno 1122.) cap. xxi. [Bin. Tom. VII. p. 568, c. 18.]  
[Mans. Tom. XXI. col. 286 c.]

Cf. Conc. Later. II. (anno 1139.) Can. VII. [Bin. Tom. VII. p. 594, c. 2 A.] *Statuimus quatenus Episcopi, Presbyteri, Diaconi*  
—*qui sanctum transgredientes propositum, uxores sibi copulare*  
*presumpsicerint, separantur.*—Mans. Conc. Tom. XXI. col. 527 E.]

<sup>z</sup> *Si quis dixerit, matrimonium ratum, non consummatum, per*  
*solemnam Religionis professionem alterius conjugum non dirimi;*  
*anathema sit.*—Sess. XXIV. Can. VI.

<sup>a</sup> *Πιετε ἐξ αὐτοῦ πάντες.* Matt. xxvi. 27. *'Εὰν μή — πάγιτε αὐ-*  
*τοῦ τὸ αἷμα, οὐκ ἔχετε ζωὴν.* Joh. vi. 53.

<sup>b</sup> —*Licet Christus post Coenam instituerit, et suis discipulis*  
*administraverit sub utraque specie panis et vini hoc venerabile Sac-*  
*ramentum, tamen hoc non obstante.*—Conc. Const. Sess. XIII.  
[Bin. Tom. VII. p. 1042, c. 2 B.] Cf. Conc. Trid. Sess. XIII. cap. 8.  
Can. III. Sess. XXI. cap. 4. Can. III.

<sup>c</sup> *This P. Leo condemneth.* —*Ore indigne Christi corpus*  
*accipiant, sanguinem autem redēptionis nostrae haurire omnia*  
*declinet.*—De Quadrag. Serm. IV. [Opp. Tom. I. col. 161.]

P. Gelasius calleth the division of the Sacrament a *grand sacrī-*

In defence of which practice, they confound ly and blood; and under a curse would oblige us believe, that one kind doth contain the other; or t a part doth contain the whole<sup>d</sup>.

Whereas our Lord saith, that *Whoso eateth his John vi.  
b and drinketh his blood hath eternal life*; and <sup>54.</sup> sequently supposeth, that bad men do not par-  
e of his body and blood; yet they condemn this  
irtion under a curse<sup>e</sup>.

The Holy Scripture, and the Fathers after it, monly do call the elements of the Eucharist, r consecration, bread and wine; affirming them retain their nature<sup>f</sup>. But the Popish Cabal thematizeth those who say, that bread and wine then remain: *If any shall say, that in the Holy rament of the Eucharist the substance of bread l wine remain—let him be anathema<sup>g</sup>.*

The nature of the Lord's Supper doth imply nunion and company; but they forbid any n to say, That a Priest may not communicate ne<sup>h</sup>; so establishing the belief of nonsense and tradition.

The Holy Scripture teacheth us, that our Lord

. [Divisio unius ejusdemque mysterii sine grandi sacrilegio potest provenire.]—Gratian. De Consecr. Dist. ii. cap. 12.  
p. Jur. Can. Tom. i. p. 455.]

<sup>i</sup> Conc. Trid. Sess. xxi. Can. III. Sess. XIII. Can. III.

<sup>j</sup> Si quis dixerit tantum in usu, &c.—Trid. Conc. Sess. XIII.  
IV.—

<sup>k</sup> Άπρος τοῦτο.—1 Cor. xi. 26.

<sup>l</sup> Si quis dixerit in sacrosancto Eucharistiae Sacramento rema-  
stantiam panis et vini— anathema sit.—Trid. Conc. de  
b. Sess. XIII. Can. II.

<sup>m</sup> Si quis dixerit Missas, in quibus solus Sacerdos sacramentaliter  
municat, illicitas esse, ideoque abrogandas; anathema sit.—  
xxii. De Sacr. Miss. Can. VIII.

<sup>2 Cor. v. 6.</sup> hath departed, and is absent from us in body; until that he shall come to judge, which is called <sup>Acts ii. 33.</sup> his presence; that heaven, whither he ascended, <sup>Col. iii. 1.</sup> and where he sitteth at God's right hand, must hold him till the times of the restitution of all things<sup>i</sup>.

But the Pope with his Lateran and Tridentine complices draw him down from heaven, and make him corporally present every day, in numberless places here.

The Scripture teacheth us, that our Lord is a man, perfectly like to us in all things<sup>k</sup>.

But the Pope and his adherents make him extremely different from us, as having a body at once present in innumerable places; insensible, &c. divested of the properties of our body; thereby destroying his human nature, and in effect agreeing with Eutyches, Apollinaris, and other such pestilent heretics.

The Scripture representeth him born once for us; but they affirm him every day made by a Priest, uttering the words of consecration; as if that which before did exist, could be made; as if a man could make his Maker.

The Scripture teacheth, that our Lord was once offered for expiation of our sins<sup>l</sup>; but they pretend every day to offer him up as a propitiatory sacrifice.

These devices, without other foundation than a figurative expression, (which they resolve to

<sup>i</sup> Ὡν δεῖ οὐρανὸν δέχεσθαι.—Acts iii. 21. Εἰς τὸ διηπεκτές ἐκάθετο.  
—Heb. x. 12.

<sup>k</sup> Οφειλε κατὰ πάντα τοῖς ἀθελφοῖς ὁμοιωθῆναι.—Heb. ii. 17.

<sup>l</sup> Εφάπαξ. μᾶς προσφορᾶ.—Heb. ix. 26; x. 10, 12, 14.

expound in a proper sense, although even in that very matter divers figurative expressions are used, as they cannot but acknowledge,) they with all violence and fierceness obtrude upon the belief, as one of the most necessary and fundamental articles of the Christian Religion.

The Scripture teacheth us humbly to acknowledge the rewards assigned by God to be gratuitous and free; and that we, after we have done all, must acknowledge ourselves unprofitable servants.

Eph. ii. 8.  
9.  
Tit. iii. 5.  
Rom. iii.  
24.  
Luke xvii.  
10.

But the Papists curse those who, although out of humility and modesty, will not acknowledge the good works of justified persons to be truly meritorious; deserving the increase of grace, eternal life, and augmentation of glory<sup>m</sup>: so forcing us to use saucy words and phrases, if not impious in their sense.

The Scripture teacheth one Church diffused over the whole world; whereof each part is bound to maintain charity, peace and communion with the rest, upon brotherly terms.

But the Romanists arrogate to themselves the name and privilege of the only Church; condemning all other Churches besides their own, and censuring all for apostatical who do not adhere to them, or submit to their yoke; just like the Donatists, who said that the world had apostatized, excepting those who upon their own terms did

<sup>m</sup> Sess. vi. de Justif. Can. xxxii. [Si quis dixerit, hominis justificati bona opera ita esse dona Dei, ut non sint etiam bona ipsius justificati merita; aut, ipsum justificatum bonis operibus, quae ab eo per Dei gratiam, et Iesu Christi meritum, cuius vivum membrum est, fiunt, non vere mereri augmentum gratiae, vitam aeternam, et ipsius vitae aeternae, si tamen in gratia decesserit, consecutio nem, atque etiam gloriae augmentum; anathema sit.]

their Decrees on God's Spirit. A is infallible, by virtue of inspiration to him, when he pleaseth to set him chair. Whence we may take ther enthusiasts and fanatics: the differ other enthusiasts pretend singly, and by conspiracy. Others pretend direction and defence, these impos on the whole Church.

Luke xi.      If they say that God hath pro  
13.              13. to his Church, it is true; but he hat  
James i. 5.      1 John ii.      27.      and frequently promised it to single  
1 John ii.      27.      Heb. viii.      11.      should seek it earnestly of him.  
Rom. viii.      9.      The ancient Fathers<sup>o</sup> could in  
Acts v. 32.      hardly discern more than two Sacra  
terious rites of our Religion, by p  
institution of our Saviour to be pra

<sup>n</sup> *Orbis terrarum apostatavit, et sola remans*  
—Aug. de Unit. Eccles. cap. 13. [Opp. Tom.

<sup>o</sup> August. [Sed quædam pauca pro multis, c  
lima, et intellectu augustissima, et observat  
Dominus et Apostolica tradidit disciplina;

But the Popes have devised others, and under incharitable curses propound them to be professed or such; affirming them to confer grace by the are performance of them<sup>p</sup>.

Every Clergyman and Monk is bound by Pius V. to profess there are just seven of them<sup>q</sup>; and the Tridentine Synod anathematized all those, who o say there are more or fewer<sup>r</sup>; although the ancients did never hit on that number.

They require men to believe under a curse that each of those were instituted of Christ, and confer grace by the bare performance<sup>s</sup>.

Particularly, they curse those who do not hold matrimony for a Sacrament, instituted by Christ, and conferring grace<sup>t</sup>. What can be more ridiculous than to say, that marriage was instituted by Christ, or that it doth confer grace? Yet with nother anathema they prefer virginity before it<sup>u</sup>: and why, forsooth, is not that another Sacrament?

<sup>p</sup> *Haec vero nostra et continent gratiam, et ipsam digne suscipientibus conferunt.*—P. Eug. IV. Decret. in Instr. Armen. Bin. Tom. VIII. p. 865, c. 1 c.] *But these our Sacraments both contain grace, and also confer it upon those who worthily receive them.*

<sup>q</sup> *Profiteor quoque septem esse proprie et vero Sacra menta.*—*Bulla Pii IV.*

<sup>r</sup> *Si quis dixerit—esse plura vel pauciora quam septem— anathema sit.*—*Syn. Trid. Sess. vii. Can. 1.*

*Si Sacra menta essent pauciora, magna impietas fuisse, et supersticio et magna deceptio animarum, habuisse tamdiu pro sacramentis ea, quae sacramenta non erant.*—*Bell. de Sacram. II. 25.*

<sup>s</sup> *Si quis dixerit per ipsa novae legis Sacra menta ex opere operato, non conferri gratiam— anathema sit.*—*Conc. Trid. Sess. vii. Can. viii.*

<sup>t</sup> *Si quis dixerit, Matrimonium non esse vere ac proprie unum ex septem Legis Evangelicas Sacra mentis, a Christo Domino institutum—neque gratiam conferre; anathema sit.*—*Sess. xxiv. Can. 1.*

<sup>u</sup> *Sess. xxiv. Can. x. [Si quis dixerit, statum conjugalem anteponendum esse statui virginitatis vel coelibatus— anathema sit.]*

And then they must be comparing the worth of these Sacraments, condemning those heavily, who may conceive them equal, as being Divine institutions: *If any shall say that these seven Sacraments are so equal one to another, that one is in no respect of more worth than another, let him be anathema<sup>x</sup>.*

The first, as it seemeth, who reckoned the Sacraments to be seven, was Peter Lombard<sup>y</sup>; whom the Schoolmen did follow; and Pope Eugenius IV. followed them<sup>z</sup>; and afterward the Trent men formed it into an article backed with an anathema.

Upon which rash and peremptory sentence touching all ancient Divines, we may note:

1 Is it not strange, that an article of faith should be formed upon an ambiguous word, or a term of art, used with great variety?

2 Is it not strange to define a point, whereof it is most plain that the Fathers were ignorant, wherein they never did agree or resolve any thing?

3 Yea, whereof they speak variously.

4 Is it not odd and extravagant to damn or curse people for a point of so little consideration or certainty?

5 Is it not intolerable arrogance and presumption to define, nay, indeed, to make an article of

<sup>x</sup> Si quis dixerit hæc septem Sacra menta ita esse inter se paria, ut nulla ratione aliud sit alio dignius, anathema sit. —Sess. VII. Can. III.

<sup>y</sup> Bellarmine could find none before him.—Vid. de Sacram. II. 25. [Nam Magister Sentent. Lib. IV. d. 2, et omnes inde Theologi septem Sacra menta esse tradiderunt.]

<sup>z</sup> Novæ legis septem sunt Sacra menta, &c.—P. Eug. IV. Decret. in Instr. Armen. [Bin. Tom. VIII. p. 865, c. 1 B.]

faith, without any manner of ground or colour of authority either from Scripture or the tradition of the ancient Fathers<sup>a</sup>?

The Holy Scripture forbiddeth us to call any man Master upon earth, or absolutely to subject our faith to the dictates of any man; it teacheth us that the Apostles themselves are not lords of our faith, so as to oblige us to believe their own inventions; it forbiddeth us to swallow whole the doctrines and precepts of men, without examination of them. It forbiddeth us to admit various and strange doctrines<sup>b</sup>.

But the Pope and Roman Church exact from us a submission to their dictates, admitting them or true, without any further inquiry or discussion, solely upon his authority. *They who are provided of any benefices whatever, having cure of souls, & them promise and swear obedience to the Roman Church<sup>c</sup>.*

They require of us without doubt to believe, to profess, to assert innumerable propositions, divers of them new and strange, nowise deducible from scripture or Apostolical tradition, the very terms of them being certainly unknown to the primitive church, devised by human subtlety, curiosity, contentiousness—divers of them being (in all appearance, to the judgment of common sense,) uncertain,

<sup>a</sup> *Multa dicuntur a Veteribus Sacraenta præter ista septem.—* ill. de Sacr. II. 24. *Many things are by the Ancients called Sacraenta besides these seven.*

<sup>b</sup> Διδαχαῖς ποικίλαις, καὶ ξέναις μὴ περιφέρεσθε.—Heb. xiii. 9.

<sup>c</sup> *Provisi de beneficiis quibuscumque curam animarum habentibus—* in Romanæ Ecclesiæ obedientia se permansuros spon-  
tiant ac jurent.—Conc. Trid. Sess. xxiv. Decr. de Ref. cap. 12.

— nec non veram obedientiam summo Romano Pontifici  
ondeant et profiteantur.—Sess. xxv. Decr. de Ref. cap. 2.

obscure, and intricate ; dive  
fierce ; divers of them frivol  
of them palpably false ; na  
sitions, as have been taught  
allowed by the Pope, espe  
*Moreover all other things o  
declared by the sacred Ca  
Councils, and especially by th  
I undoubtedly receive and  
things contrary thereunto, a  
ever condemned and rejected,  
the Church, I in like mann  
and anathematize —. Th  
faith, out of which there can i*

This usurpation upon the  
tians (none like whereto wa  
world) they prosecute with  
sures ; cursing and damning  
and profession submit to th  
consorts to join therein, a  
prudence.

Rom. xiv.  
1; xv. 1, 7.  
The Scripture enjoineth  
who are weak in faith, and  
putable matters.

But the Popes, with crue  
only do censure all that can  
vices, which they obtrude as

<sup>d</sup> *Cetera item omnia a sacris Can  
liis, ac praeципue a sacrosancta Trider  
et declarata, indubitanter recipio atq  
traria omnia, atque hæreses quascunq  
rejectas et anathematizatas ego parit  
matizo.—P. Pii IV. Profess.*

*Hanc veram Catholicam fidem, e  
potest.—Ibid.*

sorely persecute them with all sorts of punishments; even with death itself; a practice inconsistent with Christian meekness, with equity, with reason; and of which the Fathers have expressed the greatest estimation: *They have unwoven and altered all theology from head to foot, and of Divine have made it sophistical*<sup>o</sup>.

The Pope, with his pack of mercenary clients at rent, did, indeed, establish a scholastical or sophistical, rather than a Christian Theology; framing points, devised by the idle wits of latter times, into definitions and peremptory conclusions, backed with irses and censures: concerning which conclusions is evident,

That the Apostles themselves would not be able to understand many of them.

That the ancient Fathers did never think anything about them.

That divers of them consist in application of artificial terms and phrases devised by human sub-  
ety<sup>1</sup>.

That divers of them are in their own nature disputable; were before disputed by wise men; and will ever be disputed by those who freely use their judgment.

That there was no need of defining many of them.

That they blindly lay about them, condemning and cursing they know not who, Fathers, Schoolmen, Divines, &c. who have expressly affirmed points so damned by them.

<sup>o</sup> Totam Theologiam a capite usque ad calcem retexuerunt, et Divina sophistica fecerunt.—Erasm. præf. ad Hieron.

<sup>1</sup> Formaliter justos.—Conc. Trid. Sess. vi. Can. x. Ex opere operato.—Sess. vii. Can. viii. Character.—Sess. vii. Can. ix.

That many truths are uncharitably backed with curses, which disparageth them; (seeing a man may err pardonably—πολλὰ γὰρ πταιοῦεν ἄταπε  
 2. *in many things we offend all*).

For instance, what need was there of defining what need of cursing those, who think conscience to be truly and properly sin, upon St Paul's authority calling it so<sup>g</sup>? that *Adam presently up his transgression did lose the sanctity and justice which he was constituted<sup>h</sup>*?

What need of cursing those, who say that men are justified by the sole remission of sins, according to St Paul's notion and use of the word justification<sup>i</sup>?

What need of cursing those, who say the grace of God, by which we are justified, is only the favour of God<sup>k</sup>; whereas it is plain enough that God's grace there in St Paul doth signify nothing else but a reliance in God's mercy, remitting sins in Christ; seeing it is plain that St Paul doth by faith chiefly mean the belief of that principal point



of the Gospel<sup>1</sup>? Or that good works do not cause an increase of justification<sup>m</sup>; seeing St Paul doth exclude justification by works; and it is a free work of God—uncapable of degrees? Or that after remission of sin in justification, a guilt of paying temporal pain doth abide<sup>n</sup>? Or that a man cannot by his works merit increase of grace, and glory, and eternal life<sup>o</sup>; seeing a man is not to be blamed, who doth dislike the use of so saucy a word; the which divers good men have disclaimed?

What need of cursing those, who do not take the Sacraments to be precisely seven<sup>p</sup>? or who conceive that some one of their seven may not be truly and properly a Sacrament; seeing the word Sacrament is ambiguous, and by the Fathers applied to divers other things, and defined generally by St Austin, *Signum rei sacrae*; and that before Peter Lombard ever did mention that number?

What need of damning those who do conceive the Sacraments equal in dignity<sup>q</sup>?

<sup>1</sup> [Si quis dixerit, fidem justificantem nihil aliud esse quam fiduciam divinæ misericordiæ, peccata remittentis propter Christum —.—]—Sess. vi. Can. xii.

<sup>m</sup> Non autem ipsius augendæ causam —.—Sess. vi. Can. xxiv.

<sup>n</sup> Ut nullus romaneat reatus poenæ temporalis exsolvendæ —.—Sess. vi. Can. xxx. Cf. Sess. xiv. de Pœnit. Can. xv.

<sup>o</sup> — [aut ipsum justificatum bonis operibus, quæ ab eo per Dei gratiam — fiunt, non vere mereri augmentum gratiæ, vitam æternam. —.—]—Sess. vi. Can. xxxii.

<sup>p</sup> Si quis dixerit — esse plura vel pauciora quam septem.—Sess. vii. De Sacram. Can. i.

<sup>q</sup> [Si quis dixerit, hæc septem Sacramenta ita esse inter se paria, ut nulla ratione aliud sit alio dignius; anathema sit.]—Sess. vii. Can. iii.

What need of defining, that Sacraments do confer ~~gratia ex opero~~ <sup>gratia ex opere</sup>? which is an obscure ecclesiastical phrase.

What need of cursing those who say, that a character is not impressed in the soul of those who take Baptism, Confirmation, or Orders<sup>1</sup>; seeing what this character is (or this spiritual and indeleble mark, they do not themselves well understand or agree<sup>2</sup>)!

What need of cursing those, who do not think that the validity of Sacraments (and consequently the assurance of our being Christians) dependeth on the intention of the Minister<sup>3</sup>?

What need of cursing those, who think that a Pastor of the Church may change the ceremonies of administering the Sacraments<sup>4</sup>; seeing St Cyprian often teacheth, that every Pastor hath full authority in such cases within his own precincts?

What need of defining the Second Book of Macabees to be Canonical<sup>5</sup>, against the common opinion of the Fathers, (most expressly of St Austin himself,) of the most learned in all ages, of

<sup>1</sup> *Si quis dixerit, per ipsa novae Legis Sacra menta ex opere operario non conferri gratiam.* —Sess. vii. Can. viii.

<sup>2</sup> *Nou imprimi characterem in anima.* —Sess. vii. Can. ix.

<sup>3</sup> *Hoc est, signum quoddam spirituale, et indeleibile.* —Ibid.

<sup>4</sup> *Si quis dixerit, in ministris, dum Sacra menta conficiunt et conferunt, non requiri intentionem saltem faciendi, quod facit Ecclesia; anathema sit.* —Sess. vii. Can. xi.

<sup>5</sup> *Si quis dixerit, receptos et approbatos Ecclesiae Catholice ritus, in solemni Sacra mentorum administratione adhiberi consuetos, aut contemni, aut sine peccato a ministris pro libito omitti, aut in novos alios per quemcunque Ecclesiarum Pastorem mutari posse; anathema sit.* —Sess. vii. Can. xiii.

<sup>6</sup> *Sess. iv. Decret. de Canon. Script.*

Pope Gelasius<sup>\*</sup> himself, which the author himself (calling his work an epitome, and asking pardon for his errors) disclaimeth, and which common sense therefore disclaimeth<sup>\*</sup>?

Their new Creed of Pius IV. containeth these novelties and heterodoxies. 1. *Seven Sacraments.* 2. *Trent Doctrine of Justification and Original Sin.* 3. *Propitiatory Sacrifice of the Mass.* 4. *Transubstantiation.* 5. *Communicating under one kind.* 6. *Purgatory.* 7. *Invocation of Saints.* 8. *Veneration of Relics.* 9. *Worship of Images.* 10. *The Roman Church to be the Mother and Mistress of all Churches.* 11. *Swearing Obedience to the Pope.* 12. *Receiving the Decrees of all Synods, and of Trent.*

<sup>\*</sup> In Decret.

• Fidem minutis dissecant aībagibus  
Ut quisque lingua nequior.  
Solvunt ligantque quæstionum vincula  
Per syllogismos plectiles—  
Prudent. in Apotheos.

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A DISCOURSE  
CONCERNING THE  
UNITY OF THE CHURCH.

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*Non habent caritatem Dei, qui Ecclesie non diligunt unitatem.—AUG. DE  
BAPT.* [cont. Don. III. 16. Opp. Tom. IX. col. 116 F.]



# A DISCOURSE

## CONCERNING THE

### UNITY OF THE CHURCH.

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*One body, and one Spirit.—Eph. iv. 4.*

THE unity of the Church is a point which may seem somewhat speculative, and remote from practice; but in right judgments it is otherwise; any duties depending upon a true notion and consideration of it; so that from ignorance or mistake about it we may incur divers offences or missions of duty; hence in Holy Scripture it is ten proposed as a considerable point, and useful practice.

And if ever the consideration of it were needed, it is so now, when the Church is so rent with dissensions, for our satisfaction and direction about the questions and cases debated in Christendom; or on the explication of it, or the true resolution herein it doth consist, the controversies about church-government, heresy, schism, liberty of conscience, and by consequence many others, do demand; yea, indeed, all others are by some parties made to depend thereon.

St Paul, exhorting the Ephesians, his disciples, the maintenance of charity and peace among themselves, doth for inducement to that practice

represent the unity and com  
which jointly did appertain  
the unity of that body whe  
bers: of that Spirit which  
them: of that hope to which  
that Lord whom they all d  
of that faith which they did  
use whereby they were ad  
state of duties, of rights, i  
one God and universal Faith  
all the same relations.

He beginneth with the u  
is, of the Christian Chur  
unity, what it is, and when  
near now to discourse.

In order to clearing whic  
state what the Church is, of  
for the word Church is am  
in Holy Scripture and comm  
somewhat different. For,

1. Sometimes any asse  
Christians is called a Church  
Rom. xvi. made of the Church in suc  
Col. iv. 15. Tertullian saith, *Where there  
Philon. 2. there is a Church*<sup>2</sup>).

2. Sometimes a particu  
tians, living in spiritual co  
Acts v. 11; discipline; as when, the Ch  
viii. 1; xiv. 27. the Churches of such a pro  
1 Cor. i. 2; Col. iv. 16. all the Churches, are ment  
1 Thess. i. 1. which notions St Cyprian :

<sup>2</sup> *Ubi tres, Ecclesia est, licet la*  
[Opp. p. 522 A.]

Church, where there is a people united to a Priest, <sup>2 Cor. i. 1.</sup>  
 and a flock adhering to their Shepherd<sup>b</sup>: and so <sup>Rev. ii. 1.</sup>  
 &c. <sup>Rom. xvi. 1.</sup>  
 Ignatius saith, that without the orders of the <sup>Acts ix. 31.</sup>  
 Clergy a Church is not called<sup>c</sup>. <sup>Gal. i. 2.</sup>

3 A larger collection of divers particular <sup>1 Cor. xvi. 1, 19.</sup>  
 societies combined together in order, under direc- <sup>2 Cor. viii. 1.</sup>  
 tion and influence of a common government, or <sup>Rom. xvi. 4.</sup>  
 of persons acting in the public behalf, is termed a <sup>1 Cor. iv. 17; xi. 16.</sup>  
 Church: as the Church of Antioch, of Corinth, of <sup>Acts xiv. 23; xvi. 5.</sup>  
 Jerusalem, &c., each of which at first probably <sup>Rev. ii. 11.</sup>  
 might consist of divers congregations, having de-  
 pendencies of less towns annexed to them; all  
 being united under the care of the Bishop and  
 Presbytery of those places; but however, soon  
 after the Apostles' times, it is certain that such  
 collections were, and were named Churches.

4 The society of those who at present or in <sup>Matt. xvi. 18.</sup>  
 course of time profess the faith and Gospel of <sup>Eph. iii. 10.</sup>  
 Christ, and undertake the Evangelical Covenant, <sup>Gal. i. 13.</sup>  
 in distinction to all other Religions; particularly <sup>1 Tim. iii. 15.</sup>  
 to that of the Jews; which is called the Syna- <sup>Acts xii. 1; ii. 47; xx. 28.</sup>  
 gogue. <sup>1 Cor. x. 32; xii. 28; xiv. 12; xv. 9.</sup>

5 The whole body of God's people that is, <sup>32; xii. 28; xiv. 12; xv. 9.</sup>  
 ever hath been, or ever shall be, from the begin-  
 ning of the world to the consummation thereof,  
 who having (formally or virtually) believed in  
 Christ, and sincerely obeyed God's laws, shall  
 finally, by the meritorious performances and suf-  
 ferings of Christ, be saved, is called the Church.

Of these acceptations the two latter do only  
 come under present consideration; it being plain

<sup>b</sup> *Ecclesia, plebs Sacerdoti adunata, et Pastori suo grex adhæ-  
 rents.*—Ep. LXIX. [Opp. p. 123.]

<sup>c</sup> *Χωρὶς τούτων ἐκκλησία οὐ καλεῖται.*—Ep. ad Trall. [cap. III.]

that St Paul doth not speak of any one particular or present society; but of all at all times who have relation to the same Lord, faith, hope, Sacra-  
ments, &c.

Wherefore, to determine the case between these two, we must observe, that to the latter of these (that is, to the Catholic society of true believe and faithful servants of Christ, diffused through all ages, dispersed through all countries, where part doth sojourn on earth, part doth reside in heaven, part is not yet extant; but all whereof <sup>Eph. i. 10.</sup> described in the register of Divine pre-ordination and shall be re-collected at the resurrection of the just; that, I say, to this Church) especially all the glorious titles and excellent privileges attribute to the Church in Holy Scripture do agree.

<sup>Col. i. 18.</sup> This is *The body of Christ*, whereof He is *The Head*, and Saviour.

<sup>Eph. v. 25,</sup> This is the spouse, and wife of Christ; whereof <sup>32.</sup> <sup>Rev. xix.</sup> He is the bridegroom and husband.

<sup>7.</sup> <sup>2;</sup> <sup>Matt. xxii.</sup> This is *The house of God*; whereof our Lord is <sup>2;</sup> the Master; which is *built upon a rock*, so that <sup>xxv. 1.</sup> *the gates of Hell shall not prevail against it.*

This is *The elect generation, royal Priesthood*, <sup>1 Pet. ii. 9.</sup>  
*holy nation, peculiar people.*

This is *The general assembly, and Church of* <sup>Heb. xii. 23.</sup>  
*the first-born, who are enrolled in heaven.*

This is *The Church which God hath purchased* <sup>Acts xx.</sup>  
*with His own blood; and for which Christ hath* <sup>28. Eph. v. 25.</sup>  
*delivered Himself, that He might sanctify it, and* <sup>26, 27.</sup>  
*cleanse it, with the washing of water by the Word,*  
*that He might present it to Himself a glorious*  
*Church, not having spot, or wrinkle, nor any such*  
*thing; but that it might be holy and unblemished.*

To this Church, as those high elogies most properly do appertain, so that unity, which is often attributed to the Church, doth peculiarly belong thereto.

This is that *One body, into which we are all* <sup>1 Cor. xii. 13.</sup>  
*baptized by one Spirit; which is knit together, and* <sup>Rom. xii.</sup>  
*compacted of parts affording mutual aid, and* <sup>5. Eph. iv. 16.</sup>  
*supply to its nourishment and increase; the mem-* <sup>16. Col. ii. 19.</sup>  
*bers whereof do hold a mutual sympathy and com-* <sup>1 Cor. xii. 26;</sup>  
*placence; which is joined to one Head, deriving*  
*sense and motion from it; which is enlivened and*  
*moved by One Spirit.* <sup>xii. 13.</sup>

This is that *One spiritual house, reared upon* <sup>1 Pet. ii. 5.</sup>  
*the foundation of the Prophets and Apostles, Jesus* <sup>Eph. ii. 20.</sup>  
*Christ being the chief corner-stone; in whom all the*  
*building fitly framed together groweth unto an holy*  
*temple in the Lord.*

This is that *One family of God, whereof Christ* <sup>Heb. iii. 6.</sup>  
*is the οἰκοδεσπότης, whence good Christians are* <sup>1 Tim. iii. 15.</sup>  
*οἰκεῖοι Θεοῦ.* <sup>Matt. x. 25.</sup>

This is that one city, or corporation, endued <sup>Heb. xii. 22.</sup>  
with an ample charter and noble privileges, in <sup>Rev. iii.</sup>  
regard to which St Paul saith we are *συμπολῖται* <sup>12.</sup> <sup>xxi. 2, 10.</sup>

Eph. ii. 19. *τῶν ἀγίων*, (*Fellow-citizens of the Saints*,) and that  
 Phil. iii. 20. our *πολιτευμα* (our civil state and capacity) is in  
 1 Pet. ii. 9. *heaven*, or that we are citizens thereof: that one  
 Ezek. xxxvii. 22. holy nation, and peculiar people, (the spiritual  
 Israel,) subject to the same government and law,  
 (that which is called the kingdom of heaven;) enjoying the same franchises and privileges; following the same customs and fashions; using the same conversation and language; whereof Jesus Christ is the Lord and King.

John x.

This is *The one flock, under one Shepherd*.

16. Ezek.

This is the society of those for whom Christ  
 xxxvii. 24. did pray, that they might be all one.

John xvii.

20, 21. It is true, that divers of these characters are expressed to relate to the Church after Christ; but they may be allowed to extend to all the faithful servants of God before, who in effect were Christians, being saved upon the same account; and therefore did belong to the same body<sup>1</sup>.

To this Church in a more special and eminent manner all those titles, and particularly that of unity, are ascribed; but the same also in some order and measure do belong and are attributed to the Universal Church sojourning upon earth.

For because this visible Church doth enfold the other, (as one mass doth contain the good ore and

<sup>1</sup> Ex quo vocantur sancti, est Ecclesia in terra.—Aug. in Psal. cxxviii. [Opp. Tom. iv. col. 1448 A.] Since men are called saints, there is a Church upon earth.

Sancti ante Legem, sancti sub Lege, sancti sub Gratia, omnes hi perficientes corpus Domini in membris sunt Ecclesiae constituti.—Greg. Mag. Epist. xxiv. [Ep. v. 18. Opp. Tom. ii. col. 743 c.] Saints before the Law, saints under the Law, saints under the Gospel, all these make up the body of Christ, and are reckoned among the members of the Church.

base alloy<sup>s</sup>; as one floor the corn and the chaff; as Matt. iii. one field the wheat and the tares; as one net the <sup>12;</sup> <sup>xiii. 38, 47;</sup> choice fish and the refuse; as one fold the sheep <sup>xxv. 32.</sup> and the goats; as one tree the living and the dry <sup>John xv. 2.</sup> branches:) because this society is designed to be in reality what the other is in appearance, the same with the other: because therefore presumptively every member of this doth pass for a member of the other, (the time of distinction and separation <sup>Matt. xiii. 30.</sup> not being yet come:) because this in its profession of truth, in its sacrifices of devotion, in its practice of service and duty to God, doth communicate with that: therefore commonly the titles and attributes of the one are imparted to the other. *All*, saith St Paul, <sup>Rom. ix. 6;</sup> *are not Israel who are of Israel; Nor is he a Jew* <sup>ii. 28.</sup> <sup>John i. 47.</sup> *that is one outwardly*; yet in regard to the conjunction of the rest with the faithful Israelites, because of external consent in the same profession, and conspiring in the same services<sup>h</sup>, all the congregation of Israel is styled a holy nation and peculiar people.

So likewise do the Apostles speak to all members of the Church as to elect and holy persons, unto whom all the privileges of Christianity do belong; although really hypocrites and bad men do not belong to the Church, nor are concerned in its unity, as St Austin<sup>i</sup> doth often teach.

<sup>s</sup> One great house hath vessels of honour and dishonour.—  
<sup>i</sup> Tim. ii. 20; Rom. ix. 21.

<sup>h</sup> *Sicut lileum in medio spinarum, ita proxima mea in medio* *thiarum* ——. —Cant. ii. 2. *Unde filias appellat, nisi propter* *communionem Sacramentorum?* —Aug. de Unit. Eccl. cap. XIII. [cap. xiv. Opp. Tom. ix. col. 362 b.] *As the lily among thorns, so is my love* *among the daughters:* ——. *Why doth he call them daughters, but for* *the communion and agreement in Sacraments?*

<sup>i</sup> Non ad eam pertinent avari, raptore, fœneratores.—De Bapt. con. Don. iv. 2. [Opp. Tom. ix. col. 122 f.]

The places therefore of Scripture which do represent the Church one, as unquestionably they belong, in their principal notion and intent, to the true Universal Church, called the Church mystical and invisible; so may they, by analogy and participation, be understood to concern the visible Church Catholic here in earth; which professeth faith in Christ, and obedience to his laws<sup>k</sup>.

And of this Church (under due reference to the other) the question is, Wherein the unity of it doth consist, or upon what grounds it is called one; being that it compriseth in itself so many persons, societies, and nations?

For resolution of which question, we may consider, that a community of men may be termed one upon several accounts and grounds; as,

For specifical unity of nature, or as *unum genus*:

Quos non pertinere ad sanctam Ecclesiam Dei, quamvis intus esse videantur, ex hoc apertissimo appetat, quia isti sunt avani, raptiores, feneratores, &c.—Ibid. vi. 3. [col. 163 c.]

Et quod in Cantico Canticorum Ecclesia sic describitur, *Hortus conclusus*, &c. (Cant. iv. 12.) hoc intelligere non audeo nisi in sanctis et justis.—Ibid. v. 27. [col. 158 c.]

Pax autem hujus unitatis in solis bonis est—Sicut autem isti qui intus cum gemitu tolerantur, quamvis ad eandem columbas unitates et ad illam gloriosam Ecclesiam, non habentem maculam aut rugam aut aliquid ejusmodi, non pertineant.—Ibid. iii. 18. [col. 118 A.]

Nec regenerati spiritualiter in corpus et membra Christi coeditur nisi boni, &c.—De Unit. Eccl. xviii. [xxi. Tom. ix. col. 379 A.]

Multi tales sunt in Sacramentorum communione cum Ecclesia, et tamen jam non sunt in Ecclesia.—Ibid. cap. xx. [xxiv. col. 386 c.] *There are many such who communicate in Sacraments with the Church, and yet they are not in the Church.*

Omnis mali spiritualiter a bonis sejuncti sunt.—De Bapt. vi. 5. [col. 163 f.] *All evil men are spiritually separated from the good.*

<sup>k</sup> Ἐκκλησίας καλῶ τὸ ἄθροισμα τῶν ἐκλεκτῶν.—Clem. Alex. St. vii. p. 514. *I call the Church the congregation of the elect.* [Verbatim. Οὐ γάρ νῦν τὸν τόπον, ἀλλὰ τὸ ἄθροισμα τῶν ἐκλεκτῶν Ἐκκλησίας καλῶ.—Opp. Tom. ii. p. 846.]

so are all men one by participation of common rationality;  $\tauὸ\ αὐθεόπινον$ , *humanum genus*.

For cognition of blood; as *gens una*; so are all Jews, however living dispersedly over the world, reckoned one nation, or people; so all kinsmen do constitute one family: and thus also all men, as made of one blood, are one people.

For commerce of language; so Italians, and Germans, are esteemed one people, although living under different laws and governments.

For consent in opinion, or conformity in manners and practices; as, men of the same sect in Religion or Philosophy, of the same profession, faculty, trade: so Jews, Mahometans, Arians; so orators, grammarians, logicians; so divines, lawyers, physicians, merchants, artisans, rustics, &c.

For affection of mind, or compacts of good-will; or for links of peace and amicable correspondence; in order to mutual interest and aid; as, friends and confederates.

For being ranged in order under one law and rule; as, those who live under one monarchy, or in one commonwealth; as the people in England, Spain, France; in Venice, Genoa, Holland, &c.

Upon such grounds of unity, or union, a society of men is denominated one; and, upon divers such accounts, it is plain that the Catholic Church may be said to be one. For,

I. It is evident, that the Church is one by consent in faith and opinion concerning all principal matters of doctrine<sup>1</sup>, especially in those which have considerable influence upon the practice of

<sup>1</sup> *Regula quidem fidei una omnino est, sola immobilis, et irre-formabilis.*—Tertull. de Virg. Vel. cap. 1. [Opp. p. 173 A.]

piety toward God, righteousness toward men, and  
 Tit. ii. 12. sobriety of conversation: to teach us which the  
 grace of God did appear. As he that should in  
 any principal doctrine differ from Plato, (denying  
 the immortality of the soul, the providence of God,  
 the natural difference of good and evil) would not  
 be a Platonist; so he that dissenteth from any  
 doctrine of importance, manifestly taught by Christ,  
 doth renounce Christianity<sup>m</sup>.

Rom. vi. All Christians are *delivered into one form of*  
 17. *doctrine*; to which they must stiffly and stedfastly  
 Col. ii. 7. *adhere, keeping the depositum committed to them*:  
 Heb. iii. 6; xiii. 9.  
 1 Cor. xv. they must *strive together for the faith of the*  
 58. *Go-*  
 Eph. iv. *spel, and earnestly contend for the faith which was*  
 14. *Phil. i. 27. once delivered to the Saints: they must hold fast*  
 Jude 3.  
 2 Tim. i. *the form of sound words—in faith and love which*  
 13. *Heb. ii. 3. is in Christ Jesus; that great salvation, which at*  
 4. *first began to be spoken by the Lord, and was con-*  
*firmed unto them by his hearers, God also bear-*  
*ing them witness with signs and wonders, and with*  
*divers miracles, and gifts of the Holy Ghost, accord-*  
*ing to his own will.*

2 Cor. xiii. They are bound to *mind, or think, one and the*  
 11. *Phil. i. 27; same thing<sup>n</sup>; to stand fast in one spirit with one*  
 iii. 16. *mind; to walk by the same rule; to be joined to-*  
 1 Cor. i. *gether in the same mind and in the same judgment;*  
 10. *Rom. xv. with one mind and mouth to glorify God, the Father*  
*of our Lord Jesus Christ.*

They are obliged to disclaim consortship with  
 1 Tim. vi. 5, the gainsayers of this doctrine: *to stand off, ἀφ-*  
 3. *2 Thess. στραθαι, from those who do ἐτεροδοξεῖν, or who do*  
 iii. 6. *not consent to the wholesome words—of our Lord*

<sup>m</sup> My sheep hear my voice.—John x. 27.

<sup>n</sup> Τὸν καὶ αὐτὸν φρονεῖν.—Phil. ii. 2.

*Jesus Christ, and to the doctrine which is according to godliness: to mark those who make divisions and scandals beside the doctrine which Christians had learned, and to decline from them: to reject heretics: to beware of false prophets, of seducers; of those who speak perverse things to draw disciples after them: to pronounce anathema upon whoever shall preach any other doctrine.*

Rom. xvi.

17.

Tit. iii. 10.

Matt. vii.

15;

xxiv. 11.

Acta xx.

29, 30.

2 Pet. ii. 1.

Eph. iv.

14.

Gal. i. 8;

iii. 28.(26.)

Thus are all Christians *one in Christ Jesus*: thus are they (as Tertullian speaketh) *confederated in the society of a sacrament, or of one profession*<sup>o</sup>.

*This preaching and this faith the Church having received, though dispersed over the world, doth carefully hold, as inhabiting one house; and alike believeth these things, as if it had one soul, and the same heart, and consonantly doth preach, and teach, and deliver these things, as if it had but one mouth*<sup>p</sup>.

*As for Kings, though their kingdoms be divided, yet he equally expects from every one of them one dispensation, and one and the same sacrifice of a true confession and praise; so that, though there may seem to be a diversity of temporal ordinances, yet an unity and agreement in the right faith may be held and maintained among them*<sup>q</sup>.

<sup>o</sup> *De societate sacramenti confederantur.*—Tertull. in Marc. iv. 5. [Opp. p. 415 d.]

<sup>p</sup> Τοῦτο τὸ κήρυγμα παρεληφθῖα, καὶ ταύτην τὴν πίστιν, ἡ ἐκελησία, καίτερ ἐν διφερ τῷ κόσμῳ διεσπαρμένη, ἐπιμελῶς φυλάσσει, ὡς ἐν οἰκον οἰκοῦσα· καὶ δύοις πιστεύει τούτοις, ὡς μίαν ψυχὴν καὶ τὴν αὐτὴν ἔχοντα καρδίαν, καὶ συμφώνως ταῦτα κηρύσσει καὶ διδάσκει, καὶ παραδίδει, ὡς ἐν στόμα κεκτημένη.—Iron. 1. [10 § 2. Opp. p. 49.] apud Epiph. Hær. xxxi. [Opp. Tom. 1. p. 202 B.]

<sup>q</sup> *Quorum etsi divisa sunt Regna, æqualiter tamen de singulis rationem dispensationis expetit, unamque de eis veræ de*

In regard to this union in faith peculiarly, the body of Christians, adhering to it, was called the Catholic Church, from which all those were esteemed *ipso facto* to be cut off and separated who in any point deserted that faith; *Such a one,*

Tit. iii. 11. (saith St Paul,) ἐξέστραπται<sup>1</sup>, is turned aside, or hath left the Christian way of life. He in reality is no Christian, nor is to be avowed or treated as such, but is to be disclaimed, rejected, and shunned.

*He, saith St Cyprian, cannot seem a Christian, who doth not persist in the unity of Christ's Gospel and faith<sup>2</sup>.*

*If, saith Tertullian, a man be a heretic, he cannot be a Christian<sup>3</sup>.*

Whence Hegesippus saith of the old heretics, that *They did divide the unity of the Church by pernicious speeches against God and his Christ<sup>4</sup>.*

*The virtue (saith the Pastor Hermas, cited by Clemens Alexandrinus) which doth keep the Church together, is faith<sup>5</sup>.*

So the Fathers of the Sixth Council tell the Emperor, that *They were members one of another, and did constitute the one body of Christ, by con-*

*se confessionis hostiam laudis exspectat—ut etsi dispositionum temporalium videtur esse diversitas, circa ejus fidei rectitudinem unitatis consonantia teneatur.—P. Leo II. Epist. v. ad Ervigium R. Hisp. [Mans. Conc. Tom. xi. col. 1056 A.]*

<sup>1</sup> ἐξέστραπται δ τοιοῦτος.—Tit. iii. 11.

<sup>2</sup> Nec Christianus videri potest, qui non permanet in Evangelii ejus et fidei veritate.—De Unit. Eccl. [Opp. p. 199.]

<sup>3</sup> Si haeretici sunt, Christiani esse non possunt.—De Praes. cap. xxxvii. [Opp. p. 215 c.]

<sup>4</sup> Οἵτινες ἐμέρισαν τὴν ἔνωσιν τῆς ἐκκλησίας φθορμαίου λόγου κατὰ τοῦ Θεοῦ, καὶ κατὰ τοῦ Χριστοῦ αὐτοῦ.—Apud. Euseb. Hist. Eccl. iv. 22.

<sup>5</sup> Ἡ συνέχουσα τὴν ἐκκλησίαν ἀρετὴ, ἡ πίστις ἐστί.—Herm. apud Clem. Strom. II. p. 281. [Opp. Tom. I. p. 458.]

*mt in opinion with him and one another; and y faith<sup>y</sup>.*

*We ought in all things to hold the unity of the Catholic Church; and not to yield in anything to the enemies of faith and truth<sup>z</sup>.*

*In each part of the world this faith is one, because this is the Christian faith<sup>a</sup>.*

*He denies Christ, who confesses not all things that are Christ's<sup>b</sup>.*

Hence in common practice, whoever did appear to differ from the common faith, was rejected as an apostate from Christianity, and unworthy the communion of other Christians.

There are points of less moment, more obscurely delivered—in which Christians without breach of unity may dissent, about which they may dispute, in which they may err—without breach of unity, or prejudice to charity<sup>c</sup>.

<sup>y</sup> Μελῶν ἀλλήλων ὅτων ἡμῶν, καὶ τὸ ἐν σῶμα συνιστώντων Χριστοῦ  
ἢ τῆς πρὸς αὐτὸν καὶ ἀλλήλους δύοδοξίας καὶ πίστεως.—Conc. vi.  
Act. xviii. [Bin. Tom. v. p. 271 c.] [Mans. Conc. Tom. xi. col.  
360 b.]

<sup>z</sup> Per omnia debemus Ecclesiam Catholicae unitatem tenere, nec  
in aliquo fidei et veritatis hostibus cedere.—Cypr. Ep. lxxi. (ad  
Quint. de Steph. P.) [Opp. p. 127.]

<sup>a</sup> Utriusque partis terrarum fides ista una est; quia et fides  
sta Christiana est.—Aug. contr. Jul. Pelag. i. 4. [Opp. Tom. x.  
col. 504 c.]

<sup>b</sup> Negat Christum, qui non omnia quae Christi sunt confitetur.  
—Ambr. in Luc. Lib. vi. cap. 9, p. 90. (Vid. p. 85.)

<sup>c</sup> Alia sunt, in quibus inter se aliquando etiam doctissimi atque  
optimi Regulæ Catholicae defensores, salva fidei compage non  
consonant, &c.—Aug. con. Jul. Pelag. i. 6. [Opp. Tom. x. col.  
510 a.]

Alia vero quae per loca terrarum regionesque variantur, sicuti  
est quod alii jejunant Sabbato, alii non; alii quotidie commu-  
nicant corpori et sanguini Domini, alii certis diebus accipiunt;  
— et si quid aliud hujusmodi animadverti potest, totum hoc

The faith of Christians did at first consist in few points, those which were professed in Baptism, whereof we have divers summaries in the ancients —by analogy whereto all other propositions were expounded, and according to agreement whereto sound doctrines were distinguished from false: so that he was accounted orthodox who did not violate them: *So he that holds that immovable rule of truth which he received at his Baptism, will know the words and sayings and parables which are taken out of the Scriptures<sup>d</sup>, &c.*

II. It is evident, that all Christians are united by the bands of mutual charity and good-will.

They are all bound to wish one another well, to have a complacence in the good, and a compassion of the evils incident to each other, to discharge all offices of kindness, succour, consolation to each other. This is the command of Christ to all; (*This*  
<sup>12.</sup>  
<sup>1 John iii.</sup> *is my commandment*, saith he, *That ye love one another;*) this is the common badge by which his  
<sup>11.</sup>  
<sup>1 Thess. iv.</sup> disciples are discerned and distinguished, *Hereby,*  
<sup>9.</sup>  
<sup>John xiii.</sup> saith he, *shall all men know that ye are my disciples,*  
<sup>35.</sup>  
<sup>Phil. ii. 17.</sup> *if ye love one another: they must have the same*

*portunity, do good to the household of faith. If* <sup>1 Cor. xii.</sup> *one member suffer, all the members must suffer* <sup>26.</sup> *with it; and if one member be honoured, all the members must rejoice. The multitude of them who* <sup>Acts iv.</sup> *believe must be (like that of the Acts) of one heart* <sup>32.</sup> *and of one soul. They must walk in love and do* <sup>Eph. v. 2.</sup> *all things in love.* <sup>1 Cor. xvi. 14.</sup>

Whoever therefore doth highly offend against charity, maligning or mischieving his brethren, doth thereby separate himself from Christ's body, and cease to be a Christian: *They that are enemies to brotherly charity, whether they are openly out of the Church, or seem to be within, they are Pseudo-Christians and Antichrists.*—*When they seem to be within the Church, they are separated from that visible conjunction of charity; whence St John, they went out from us, but were not of us. He saith not, that by their going out they were made aliens, but because they were aliens, therefore he declareth that they went out*<sup>o</sup>.

Wherefore the most notorious violations of charity being the causing of dissensions and factions in the Church, the causeless separation from any Church, the unjust condemnation of Churches—*whoever was guilty of any such unchristian behaviour was rejected by the Fathers, and held to be no Christian. Such were the Novatians, the*

\* *Hujus autem fraternalis caritatis inimici, sive aperte foris sint, vel intus esse videantur, Pseudo-Christiani sunt et Antichristi.—Nam intus videntur, ab illa invisibili caritatis compage separati. Unde Johannes, (1 John ii. 19,) Ex nobis exierunt, sed non sunt ex nobis—. Non ait quod exēundo alieni facti sunt; sed nondum alieni erant, propter hoc eos exisse declaravit.—Aug. de Bapt. in. Don. iii. 19. [Opp. Tom. ix. col. 119 E.]*

Donatists, the Meletians, the Luciferians,—and other schismatics.

*For what can be more acceptable and pleasant, than to see those who are severed and scattered into so many places, yet knit and joined together in the bond and union of charity, as harmonious members of the body of Christ<sup>f</sup>.*

*In old time—when the Church of God flourished, being rooted in the same faith, united in love: there being, as it were, one conspiracy or league of different members in one body<sup>g</sup>.*

*For the communion of the Spirit is wont to knit and unite men's minds; which conjunction we believe to be between us and your charitable affection<sup>h</sup>.*

*They therefore who by the bond of charity are incorporated into the building settled upon the rock<sup>i</sup>.*

*But the members of Christ are joined together by the charity of union, and by the same cleave close to their Head, which is Christ<sup>k</sup>.*

<sup>f</sup> Τί γὰρ ἀν γένοιστο χαριέστερον, ἢ τοὺς τοσούτοφ τῷ πλήθει τῶν τόπων διειργμένους (διηγρημένους) τῇ διὰ τῆς ὁγάπης ἐνώσει καθορᾶν μίαν μελῶν ἀρμονίαν ἐν σώματι Χριστοῦ δεδέσθαι.—Bas. Ep. cccx. [Ep. LXX. Opp. Tom. III. p. 163 D.]

<sup>g</sup> Ἐπὶ τῶν ἀρχαῖων καιρῶν —— ἡνίκα ἡνθουν αἱ ἐκελησίαι τοῦ Θεοῦ ἔρριζωμέναι τῇ πίστει, ἡνωμέναι τῇ ἀγάπῃ. ὡσπερ ἐν ἐνὶ σώματι μάς συμπνοίας διαφόρων μελῶν ὑπαρχούσης.—Id. Ep. cccxxxviii. [Ep. CLXIV. p. 254 D.]

<sup>h</sup> Ἡ κατὰ Πνεῦμα συνάφεια ἐμποιεῖν πέφυκε τὴν οἰκείωσιν, ἡν ἡμῶν εἴναι πρὸς τὴν ἀγάπην ὑμῶν πεπιστεύκαμεν.—Id. Ep. CLXXXII. [cccxi. p. 371 D.]

<sup>i</sup> Qui ergo compage caritatis incorporati sunt aedificio super petram constituto, &c.—Aug. de Unit. cap. xviii. [Opp. Tom. II. col. 379 B.]

<sup>k</sup> Membra vero Christi per unitatis caritatem sibi copulantur, et per eandem capiti suo coherent, quod est Christus Jesus.—Id. ibid. cap. II. [col. 338 B.]

Spiritus Sanctus datus est omnibus sanctis sibi caritate coherentibus.—Id. de Bapt. VI. 3. [col. 163 F.]

III. All Christians are united by spiritual <sup>1 Pet. i.</sup> cognation and alliance; as being all regenerated by <sup>23. Jam. i. 18.</sup> the same incorruptible seed, being alike born, not of <sup>John i. 13.</sup> blood, nor of the will of the flesh, nor of the will of <sup>Gal. iii. 26.</sup> man, but of God; whence, as the sons of God, and <sup>John i. 12.</sup> brethren of Christ, they become brethren one to another; so that it is a peculiar title or appellation of Christians, the brethren, signifying all Christian <sup>Heb. ii.</sup> people; and a brother being the same with a Chris- <sup>10, 11. 1 Cor. vii.</sup> tian professor. <sup>15; v. 11.</sup>

IV. The whole Christian Church is one by <sup>Rom. xiv. 10, &c.</sup> its incorporation into the mystical body of Christ; or as fellow-subjects of that spiritual, heavenly kingdom, whereof Christ is the Sovereign Head and Governor; whence they are governed by the same laws, are obliged by the same institutions and sanctions<sup>1</sup>; they partake of the same privileges, and are entitled to the same promises, and encouraged by the same rewards; (being called in <sup>Eph. iv. 4.</sup> one hope of their calling). So they make up one spiritual corporation or republic, whereof Christ is the Sovereign Lord<sup>m</sup>: *Though the place disjoin them, yet the Lord joins them together, being their common Lord<sup>n</sup>, &c.*

*For when there is one and the same Lord, that dwelleth in us, he every where joins and couples those that are his with the bonds of unity<sup>o</sup>.*

Hence an habit of disobedience doth sever a

<sup>1</sup> They are under a covenant of allegiance.

<sup>m</sup> Ο γὰρ αὐτὸς Κύριος πάντων.—Rom. x. 12.

<sup>n</sup> Εἰ δὲ ὁ τόπος χωρίζει, ἀλλ' ὁ Κύριος αὐτοὺς συνάπτει κοινὸς ὁν, &c.—Chrys. in 1 Cor. Orat. i. Vid.

<sup>o</sup> Nam cum Dominus unus atque idem sit, qui habitat in nobis, conjungit ubique et copulat suos vinculo unitatis.—Firmil. apud Cypr. Ep. LXXV. [Opp. p. 143.]

Matt. vii. man from this body ; for, *Not every one that saith, Lord, Lord, shall enter into the kingdom of heaven*,  
<sup>21.</sup> or continue therein. Every such person who denieth God in works is a rebel, an outlaw, renouncing his allegiance, forfeiting his title to God's protection and favour.

John x. 27. He is not a sheep of Christ, because he doth not hear his voice<sup>p</sup>.

Col. ii. 9. He is separated from the body, by not holding the head.

*It is a lie, to call one's self a Christian, and not to do the works of Christ<sup>q</sup>.*

*He that does not the work of a Christian name, seems not to be a Christian<sup>r</sup>.*

*When instead of the works themselves he begins to oppose even the most apparent truth, whereby he is reprobated, then he is cut off<sup>s</sup> (from the body, or the Church).*

Hence St Austin often denieth wicked persons to be in the Church, or to appertain unto its unity.

V. All Christians are linked together in peaceable concord and confederacy ; so that they are bound to live in good correspondence ; to communicate in works of piety and devotion ; to defend and promote the common interest of their profession.

Upon the entrance of the Gospel by our Lord's

<sup>p</sup> Qui eum non sequitur, quomodo se ovem ejus dicere audebit ?  
 —Aug. de Unit. Eccl. cap. x. [cap. xi. Opp. Tom. ix. col. 355 b.]

<sup>q</sup> Mendacium est, Christianum se dicere, et opera Christi non facere.—Ambr.

<sup>r</sup> Qui Christiani nominis opus non agit, Christianus non esse videtur.—Salv. de Gub. Dei, Lib. iv.

<sup>s</sup> — Cum pro ipsis operibus etiam veritati apertissimæ, quæ redarguitur, resistere cœperit, tunc præciditur.—Aug. de Unit. Eccl. cap. xx. [cap. xxv. Opp. Tom. ix. col. 386 b.]

<sup>t</sup> Vid. supra.

incarnation, it was by a celestial herald proclaimed: *Peace on earth, and good-will among men.* It was Luke ii. our Lord's office to preach peace. It was a principal end and effect of his death to reconcile all men, and to destroy enmity. He specially charged his disciples *εἰρηνεύειν ἐν ἀλλήλοις, to maintain peace one with another.* It was his will at parting with them, *Peace I leave with you.*

The Apostles frequently do enjoin to pursue peace with all them who call upon the Lord with a pure heart; to follow the things which make for peace and edification mutual; to keep the unity of the Spirit in the bond of peace.

It was in the prophecies concerning the evangelical state declared, that under it, *The wolf should dwell with the lamb, and the leopard should lie down with the kid, and the sucking child should play on the hole of the asp;* that is, that men of all tempers and conditions, by virtue of this institution, should be disposed to live innocently, quietly, and lovingly together<sup>u</sup>; so that *they should not hurt or destroy in all God's holy mountain;* for that would be a duty incumbent on the disciples of this institution, which all good Christians would observe.

The evangelical covenant, as it doth ally us to God, so it doth confederate us together: the Sacraments of this covenant are also symbols of peace and amity between those who undertake it. Of Baptism it is said, *That so many of you as have been baptized into Christ have put on Christ;* and thence, *Ye are all one in Christ Jesus: All in one Spirit have been baptized into one body.* And in

<sup>u</sup> They shall learn war no more.—Isai. ii. 4.

Acts x. 36. Eph. ii. 17. Col. i. 20. Eph. ii. 14. Mark ix. 50.

John xiv. 27.

2 Tim. ii. 22.

Rom. xiv. 19.

Eph. iv. 3.

Isai. xi. 6; lxv. 25; ii. 4; lxvi. 12.

the Eucharist, by partaking of one individual food, they are transmuted into one body and substance: *We, saith St Paul, being many are one bread, one body; for all of us do partake of one bread.*

*By which Sacrament also our people appear to be united: for, as many grains collected, and ground, and mingled together, make one bread; so in Christ, who is the bread of heaven, we may know ourselves to be one body, that our company or number be conjoined and united together<sup>a</sup>. With us there is both one Church, and one mind, and undivided concord<sup>b</sup>. Let us hold the peace of the Catholic Church in the unity of concord<sup>c</sup>. The bond of concord remaining, and the individual Sacrament of the Catholic Church continuing<sup>d</sup>, &c. He therefore that keeps neither the unity of the Spirit, nor the conjunction of peace, and separates himself from the bond of the Church, and the college (or society) of Priests, can have neither the power of a Bishop, nor the honour<sup>e</sup>.*

<sup>a</sup> Quo et ipso Sacramento populus noster adunatus ostenditur; ut quemadmodum grana multa in unum collecta, et commolita, et commixta, panem unum faciunt, sic in Christo, qui est panis coelestis, unum sciamus esse corpus, cui conjunctus sit noster numerus et adunatus.—Cypr. Ep. LXIII. [Opp. p. 108.]

<sup>b</sup> Nobis et Ecclesia una, et mens juncta, et individua concordia.—Id. Ep. LVII. [Opp. p. 94.]

<sup>c</sup> Catholicæ Ecclesiæ pacem concordia unitate teneamus.—Id. Ep. XLV. [Opp. p. 59.]

<sup>d</sup> Manente concordia vinculo, et perseverante Catholicæ Ecclesiæ individuo sacramento, &c.—Id. Ep. LIII. (ad Anton.) [Opp. p. 72.]

<sup>e</sup> Qui ergo nec unitatem Spiritus, nec conjunctionem pacis observat, et se ab Ecclesiæ vinculo, atque a sacerdotum collegio separat, Episcopi nec potestatem potest habere, nec honorem, &c.—Id. ibid. [p. 74.]

us in general. But particularly, all Christians should assist one another in the common defence of truth, piety, and peace, when they are assaulted, in the propagation of the faith, and enlargement of the Church, which is *συναθλεῖν τῇ πίστει τοῦ εὐαγγελίου, to contend together for the faith of the Gospel;* <sup>1 Tim. i. 18; vi. 12.</sup> to be good soldiers of Christ; warring the good <sup>2 Tim. iv. Jude 3.</sup> warfare; striving for the faith once delivered to the saints.

Hence if any where any heresy or bad doctrine should arise, all Christians should be ready to declare against it; that it may not infect, or spread a doubt arising, as in the case of celebrating Easter: *They all, with one consent, declared by letters the decree of the Church to all very where.*<sup>c</sup>

Especially the Pastors of the Churches are obliged with consent to oppose it<sup>d</sup>. *While we laboured here, and withstood the force of envy with the whole strength of our faith, your speech assisted us very much.*<sup>e</sup>

Thus did the Bishops of several Churches meet to suppress the heresy of P. Samosatenus.

This was the ground of most Synods.

*So they who afterward in all places and several ways were gathered together against the innovations of heretics, gave their common opinion in behalf of the faith, as being of one mind: what they had approved among themselves in a brotherly way,*

<sup>c</sup> Πάντες τε μιᾶς γνώμη δι' ἐπιστολῶν ἐκκλησιαστικὸν δόγμα τοῖς ανταχόσσε διετυποῦντο.—Euseb. Hist. Eccl. v. 23.

<sup>d</sup> Cf. Cypr. Ep. LXVII.

<sup>e</sup> Laborantes hic nos et contra invidiæ impetum totis fidei tribus resistentes, multum sermo vester adjuvit, &c.—Cypr. Ep. XIII. [Opp. p. 32.]

that they clearly transferred absent: and they who at that time had earnestly contended against Arius, sent their judgment to the other Churches: and they who had been infected with the heresy of Apolinarius, made it known to the Western<sup>1</sup>.

If any dissension or faction should arise in the Church, other Churches, upon being summoned, should yield their aid to quench an internal dissension, by countenancing the peaceable, and rebuking the factious.

Thus did St Cyprian<sup>g</sup> hold the Council of Carthage, and quash the Novatian schism.

Thus when the Oriental Church was under the Arian faction, and the Western under the Catholics, St Basil<sup>h</sup> (of Caesarea) and the Bishops consorting with him, sent to the Western Bishops (of Italy and Africa) to call them to their succour.

<sup>1</sup> Οὗτοι οἱ μετὰ ταῦτα πανταχῆ πάθροισθέντες καινόμαστι, κοινῷ, ὡς σύν ψῆφον ἔξηγευκαν, ἀπέρ ἀδελφικῶς ἑαυτοῖς ἀποῦσι διαπορθμεύσαντες. καὶ οἱ μὲν λειψάνων σύγωνισάμενοι, τοῖς ἐν ἀνατολῇ ἐνταῦθα τὴν Ἀπολιναρίου λίμνην φεράσσοντες. —Syn. Chalced. ad Imper. Tom. III. p. 468 E.] [Mans. Conc. Tom. III. p. 468 E.]

<sup>g</sup> Hoc enim vel maxime, frater, I must say, ut unitatem a Domino, et per A traditionem, quantum possumus, obtinere est, &c.—Cyp. Ep. xlii. [Opp. p. 555.] must earnestly endeavour, and ought to do as much as in us lies, to hold the unity of the Lord, and by the Apostles, whose success we ought to follow, &c.

<sup>h</sup> [Cf. Ep. ccxlii. Opp. Tom. III. p. 555.]

All Christians should be ready, when opportunity doth invite, to admit one another to communion in offices of piety and charity; in prayer, in communion of the Eucharist, in brotherly conversation, and pious conference for edification or service.

*So that he who flies and avoids communion with you in your prudence may know, that such a man breaks himself off from the whole Church<sup>1</sup>.*

St Chrysostom doth complain of Epiphanius: *hen when he came to the great and holy city of Constantinople, he came not out into the congregation according to custom and the ancient manner, joined not himself with us, nor communicated with us in the word, and prayer, and the holy communion<sup>2</sup>, &c.*

So Polycarp, being at Rome, did communicate with P. Anicetus<sup>3</sup>.

If dissension arise between divers Churches, another may interpose to reconcile them; as did the Church of Carthage, between that of Rome and Alexandria<sup>4</sup>.

If any Bishop were exceedingly negligent in

<sup>1</sup> Ωστε δ τὴν πρὸς ἡμᾶς κοινωνίαν ἀποδιδράσκων μὴ λανθανέτω ἐν τὴν ἀκρίβειαν πάσης ἑαυτὸν τῆς ἐκκλησίας ἀπορρίγγειος.—Bas. I. LXXV. [Ep. CCIV. p. 307 B.]

<sup>2</sup> Εἴτε τῆς μεγάλης καὶ θεοφίλους Κωνσταντινουπόλεως ἐπιβὰς οὐκ ἐκκλησίαν ἔξηλθε κατὰ τὸ εἰωθός, καὶ τὸν ἄνωθεν κρατήσαντα θεσμὸν, οὐ μόνον συνεγένετο, οὐ λόγου μετέδωκεν, οὐκ εὐχῆς, οὐ κοινωνίας, ἀλλ' οὗτος τοῦ πλοίου, &c.—Chrys. ad Innoc. P. Ep. CXXII.

<sup>3</sup> Ἐν τῇ Ἐκκλησίᾳ παρεχώρησεν δ Ἀνίκητος τὴν εὐχαριστίαν τῷ λυκάρπῳ, κατ' ἐντροπὴν δηλονότι.—Euseb. Hist. Eccl. v. 24.

<sup>4</sup> Cod. Can. Eccl. Afric. Can. cl. [Ἡρέσεις δὲ μῆτρα, ὡστε περὶ τῆς γονοὶς τῆς Ρωμαϊκῆς καὶ Ἀλεξανδρίνης Ἐκκλησίας πρὸς τὸν ἀγώτατον εἶναι Ἰννοκέντιον γραφῆναι· ὅπως ἐκατέρᾳ Ἐκκλησίᾳ πρὸς ἀλλήλας ὥρην φυλάξεωσι, ἡν Κύριος παραγγέλλει.—Bin. Tom. I. p. 960 D.]

the discharge of his office<sup>n</sup>, (to the common damage of truth and piety,) his neighbour Bishops might admonish him thereto; and, if he should not reform, might deprive him of communion.

All Christians should hold friendly correspondence, as occasion doth serve, and as it is useful to signify consent in faith, to recommend persons, to foster charity, to convey succour and advice, to perform all good offices of amity and peace.

*Siricius, who is our companion and fellow-labourer, with whom the whole world by mutual commerce of canonical, or communicatory, letters agree together with us in one common Society<sup>o</sup>.*

*The Catholic Church being one body, it is consequent thereto, that we write and signify one to another<sup>p</sup>, &c.*

In cases of doubt or difficulty one Church should have recourse to others for advice; and any Church should yield it.

*Both common charity and reason requires, most dear brethren, that we conceal nothing from your knowledge of those things which are done among us, that so there may be common advice taken by us concerning the most useful way of ordering ecclesiastical affairs<sup>q</sup>.*

<sup>n</sup> Cod. Can. Eccl. Afric. cxxiii. [Ἐὰν δὲ τοῖς ματρικίοις, ἢν ταῖς καθέδραις Ἐπίσκοπος ἀμελής γένηται κατὰ τῶν αἱρετικῶν, ἵνα μνηθείη ἀπὸ τῶν γειτνιῶντων Ἐπισκόπων ἐπιμελῶν, καὶ ὑποδειχθεῖη αὐτῷ ἡδία περιφρόνησις πρὸς τὸ μὴ ἔχειν ἀπολογίαν, &c.—Bin. Tom. I. 968.]

<sup>o</sup> Damaso Siricius hodie, qui noster est socius, cum quo nobis totus orbis commercio formatarum in una communionis societate concordat.—Opt. Lib. I. p. 40.

<sup>p</sup> Ἐνδε σώματος ὅντος τῆς καθολικῆς Ἐκκλησίας —— ἀπολογίας ἔστι γράφειν ἡμᾶς καὶ σημαίνειν ἀλλήλοις, &c.—Ep. Alex. Episc. Alexand. apud Socrat. Hist. Eccl. I. 6.

<sup>q</sup> Et dilectio communis et ratio exposcit, fratres carissimi,

One Church should acquaint others of any extraordinary transaction concerning the common faith or discipline; requesting their approbation and countenance<sup>1</sup>.

Thus did the Eastern Churches give account to all other Churches of their proceedings against P. Samosatenus<sup>2</sup>.

*Which letters are sent all the world over, and wrought to the notice of all the Churches, and of all the brethren<sup>3</sup>.*

When any Church, or any Pastor, was oppressed or injured, he might have recourse to other Churches for their assistance, in order to relief: *Let him who is cast out have power to apply himself to the neighbouring Bishops, that his cause nay be carefully heard and discussed<sup>4</sup>.*

Thus did Athanasius (being overborne and

ihil conscientiae vestre subtrahere de his quæ apud nos geruntur, & sit nobis circa utilitatem Ecclesiastice administrationis commune consilium.—Cypr. Ep. xxix. (ad Cler. Rom.) [Opp. p. 39.]

<sup>2</sup> The practice of this we see frequently in St Cyprian's Epistles; particularly in Epist. iv. xv. xxiii. xxix. xxx. xlii. xlvi. ad C. Corn.

<sup>3</sup> Cf. Euseb. vii. 30.

<sup>4</sup> Quæ literæ per totum mundum missæ sunt, et in notitiam Ecclesiis omnibus et universis fratribus perlatae sunt.—Cypr. Ep. lli. (ad Anton.) [Opp. p. 67.]

Scripimus ad Cornelium collegam nostrum, &c. Ibid. [Opp. p. 67.]

<sup>1</sup> Habeat potestatem is qui abjectus est, ut Episcopos finitimos interpellet, et causa ejus audiatur ac diligenter tractetur, &c.—Conc. Sard. Can. xvii. [Bin. Tom. i. p. 536, c. 1 E.] [Mans. Conc. om. iii. col. 28 E.]

Vid. Cod. Can. Eccl. Afric. cxxv. [Ομοίως ἥρεσεν, ἵνα πρεσβύτεροι, διάκονοι, καὶ οἱ λοιποὶ κατάτεροι εἰληρικοὶ, ἐν αἷς ἔχουσιν τίας, ἐὰν περὶ τῆς ψήφου τοὺς ἰδίους Ἐπισκόπους μέμφωσται, οἱ επιμένοντες Ἐπισκόποι τούτων ἀκροάσσονται, καὶ τὰ μεταξὺ τούτων περαίσσοσιν οἱ παρ' αὐτῶν κατὰ συναίνεσιν τῶν ἰδίων αὐτῶν Ἐπισκόπων κοσλαμβανόμενοι, &c.—Bin. Tom. i. p. 969 B.]

expelled from his See by the  
refuge to the Church of Ron

St Chrysostom had recon-  
ciled Rome, and to those of the  
Bishop of Antioch.

VI. Now, because in these  
things, the Pastors have their  
in behalf of the Churches;  
therefore is the Church united  
in doctrine, their agreement  
in maintaining intercourse, their con-  
cern for truth and charity.

*We ought all to be vigil  
and members of the whole Church, w  
hich is dispersed through many several*

*Seeing the Church, which  
is not rent nor divided, but tri-  
nites together by the bond of Pri-  
ests and other<sup>y</sup>.*

*This agrees with the n  
ature and the very life of all, tha  
t meeting together might ordene  
gious way by common advice*

\* *Omnes nos decet pro corpore te  
quasque provincias membra digesta*  
xxx. (Cler. Rom. ad Cypr. P.) [Opp.  
Quod servis Dei, et maxime sac-  
Cornel.) [Opp. p. 56.]

Idcirco copiosum corpus est sac-  
[Opp. p. 116.]

<sup>y</sup> *Quando Ecclesia, quæ Catholicæ  
neque divisa, sed sit utique connexa,  
sacerdotum glutino copulata.—Id. E*

<sup>z</sup> *Hoc enim et verecundia et di-  
nostrum convenit — ut præpositi  
disponere omnia consilii communis*  
xiii. [Opp. p. 23.] (Clero sup.)

*That, since it having pleased God to grant us peace, we begin to have greater meetings of Bishops, we may also by your advice order and reform every thing<sup>a</sup>.*

*Which that, with the rest of our colleagues, we may steadfastly and firmly administer; and that we may keep the peace of the Church, in the unanimity of concord, the Divine favour will vouchsafe to accomplish<sup>b</sup>.*

*A great number of Bishops— we met together<sup>c</sup>.*

*Bishops being chosen did acquaint other Bishops with it: It was sufficient, saith St Cyprian to Cornelius, that you should by your letters acquaint us that you were made a Bishop<sup>d</sup>.*

*Declare plainly to us who is substituted at Arles in the room of Marcian, that we may know to whom we should direct our brethren, and to whom we should write<sup>e</sup>.*

All Churches were to ratify the elections of Bishops duly made by others, and to communicate with those<sup>f</sup>. And likewise to comply with all reasonable acts for communion.

<sup>a</sup> Ut cum pace a Domino nobis data plures præpositi convenire in unum coepimus, communicato etiam vobiscum consilio, disponere singula et reformare possimus.—Id. Ep. xiv. (Clero Rom.) [Opp. p. 24.]

<sup>b</sup> Quod ut simul cum cæteris quoque collegis nostris stabiliter ac firmiter administremus, atque ut Catholicæ Ecclesiæ pacem concordia unanimitate teneamus, perficiet divina dignatio, &c.—Id. Ep. xlv. (ad Cornel.) [Opp. p. 59.]

<sup>c</sup> Copiosus Episcoporum numerus—in unum convenimus.—Id. Ep. lii. (ad Anton.) [Opp. p. 67.]

<sup>d</sup> Satis erat, ut tu te Episcopum factum literis nuntiares.—Id. ad Cornel. (Epist. xlvi.) [Opp. p. 57.]

<sup>e</sup> Significa plane nobis quis in locum Marciani Arelate fuerit substitutus, ut sciamus ad quem fratres nostros dirigere, et cui scribere debeamus.—Id. Ep. lxvii. P. ad Steph. [Opp. p. 117.]

<sup>f</sup> Cf. Cyr. Epp. xlii. xlii. llii. Theodor. Hist. Eccl. v. 9.

*There is one God, and one Christ, and one Church, and one See founded upon Peter by word of the Lord; besides one altar and one Priesthood, another altar cannot be erected, nor new Priesthood ordained<sup>p</sup>.*

Hence were the Meletians rejected by the Church, for introducing ordinations—.

Hence was Aërius accounted a heretic, meaning to innovate in so grand a point of discipline, as the subordination of Bishops and Proibeters.

VIII. It is expedient that all Churches should conform to each other in great matters of prudential discipline, although not instituted or prescribed by God: for this is a means of preserving peace and is a beauty or harmony. For difference of practice doth alienate affections, especially in common people.

So the Synod of Nice: *That all things may be alike ordered in every diocese, it hath seemed good to the Holy Synod, that men should lay up their prayers to God standing<sup>q</sup>, (viz. between Easter and Whitsuntide, and upon the Lord's Day).*

The Church is like the world; for as the world doth consist of men, all naturally subject to o

<sup>p</sup> Deus unus est, et Christus unus, et Ecclesia una, et Catholica una super Petrum (petram) Domini voce fundata. Aliud autem constitui, aut sacerdotium novum fieri praeter unum altare, et unum sacerdotium, non potest.—Ibid. [p. 53.]

<sup>q</sup> Ὑπὲρ τοῦ πάντα ἐν πάσῃ παροιᾳ ὅμοιως φυλάττεσθαι, οὐτὸς ἔδοξε τῇ ἀγίᾳ συνέδρῳ τὰς εὐχὰς ἀποδιδόνται τῷ Θεῷ.—Can. xi. [B. Tom. i. p. 345 c.]

Πρὸς τούτοις κάκεινο πάρεστι συνορᾶν, ὡς ἐν τηλικούτῳ πράγμα καὶ τοιαύτῃ θρησκείᾳ ἐστὶ διαφωνίας ἄρχειν ἐστὶν ἀθέμιτον.—Conc. M. in Epist. ad Eccles. apud Euseb. Vit. Constant. III. 18.

King, Almighty God; all obliged to observe his laws, declared by natural light; all made of one <sup>Acts xxii.</sup><sub>26.</sub> blood, and so brethren; all endowed with common reason; all bound to exercise good offices of justice and humanity toward each other; to maintain peace and amity together; to further each other in the prosecution or attainment of those good things which conduce to the welfare and security of this present life: even so doth the Church consist of persons spiritually allied, professing the same faith, subject to the same law and government of Christ's heavenly kingdom; bound to exercise charity, and to maintain peace toward each other, and to promote each other's good in order to the future happiness in heaven.

All those kinds of unity do plainly agree to the universal Church of Christ; but the question is, Whether the Church is also necessarily, by the design and appointment of God, to be in way of external polity under one singular government or jurisdiction of any kind; so as a kingdom or commonwealth are united under the command of one Monarch or one Senate?

That the Church is capable of such an union, is not the controversy; that it is possible it should be so united, (supposing it may happen that all Christians may be reduced to one nation, or one civil regiment; or that several nations spontaneously may confederate and combine themselves into one Ecclesiastical Commonwealth, administered by the same Spiritual rulers and judges according to the same laws,) I do not question; that when in a manner all Christendom did consist of subjects to the Roman Empire, the Church then did arrive near such an

unity, I do not at present c  
an union of all Christians is  
was ever instituted by Christ  
for my refusal of that opinion  
reasons.

1 This being a point of g  
trenching upon practice, whic  
cerned to know; and there be  
to declare it; yet the Holy S  
express or intimate such a ki  
a sufficient proof that it hath  
may say of it, as St Austin  
itself, *I will not that the H*  
*strated from human reason*  
*oracles*<sup>1</sup>.

Eph. iv.]  
1 Cor. xii.  
Rom. xii.  
Gal. iii. 28.

St Paul particularly, in d  
eckly treating about the unit  
gether with other points of  
thereon,) and amply describi  
ply any such unity then exte  
He doth mention and urge  
faith, of charity, of peace, o  
of communion in devotions a  
concerning any union unde  
government or polity he is  
*Lord, one Faith, one Baptism*  
*of all*: not one Monarch, o  
Sanhedrin—which is a pre  
such was then instituted; o  
have slipped over a point so  
tinent to his discourse.

<sup>1</sup> *Nolo humanis documentis, se*  
*Ecclesiam demonstrari.—De Unit. E*  
*col. 341 D.]*

2 By the Apostolical History it may appear, at the Apostles, in the propagation of Christianity, and founding of Christian societies, had meaning, did take no care, to establish any such polity.

They did resort to several places, (whither vine instinct or reasonable occasion did carry them,) where, by their preaching having convinced and converted a competent number<sup>a</sup> of persons to the embracing Christian doctrine, they did appoint masters to instruct and edify them<sup>b</sup>, to administer God's worship and service among them, to contain them in good order and peace, exhorting them to maintain good correspondence of charity and peace with all good Christians elsewhere: this is all we can see done by them.

3 The Fathers, in their set treatises, and in their incidental discourses about the unity of the church, (which was *de facto*, which should be *de re* in the Church,) do make it to consist only in those unions of faith, charity, peace, which we have described, not in this political union.

The Roman Church gave this reason why they would not admit Marcion into their communion, they would not do it without his father's consent, between whom and them *there was one faith and one agreement of mind*<sup>c</sup>.

Tertullian, in his Apologetic, describing the unity of the Church in his time, saith, *We are*

<sup>a</sup> "Οχλον ἵκανόν.—Acts xi. 26.

<sup>b</sup> Χειροτονησαντες αὐτοῖς πρεσβυτέρους κατ' Ἐκκλησίαν.—Acts v. 23.

<sup>c</sup> — μία γάρ ἔστιν ἡ πίστις καὶ μία ἡ διδόνοια.—Epiph. Haer. iii. [Opp. Tom. i. p. 303 c.]

*one body by our agreement in Religion, our unity of discipline, and our being in the same covenant of hope<sup>x</sup>. And more exactly and largely in his Prescriptions against Heretics, the breakers of unity: Therefore such and so many Churches are but the same with the first Apostolical one, from which all are derived: thus they become all first, all Apostolical; whilst they maintain the same unity; whilst there are a communion of peace, names of brotherhood, and contributions of hospitality among them; the rights of which are kept up by no other means, but the one tradition of the same mystery<sup>y</sup>. They and we have one faith, one God, the same Christ, the same hope, the same Baptism; in a word, we are but one Church<sup>z</sup>.*

And Constantine the Great in his Epistle to the Churches: (Our Saviour) *would have his Catholic Church to be one: the members of which, though they be divided into many and different places, are yet cherished by one spirit, that is, by the will of God<sup>a</sup>.* And Gregory the Great: *Our head, which is Christ, would therefore have*

<sup>x</sup> *Corpus sumus de conscientia Religionis et disciplinae unitate et spei fædere.*—Apol. xxxix. [Opp. p. 31 A.]

<sup>y</sup> *Itaque tot ac tantæ Ecclesiæ, una est illa ab Apostolis prima, ex qua omnes primæ, et Apostolicæ; dum una omnes probant unitatem; dum est illis communicatio pacis, et appellatio fraternitatis et contesseratio hospitalitatis; quæ jura non alia ratio regit, quam ejusdem sacramenti una traditio.*—De Præscript. cap. xx. [Opp. p. 208 D.]

<sup>z</sup> *Una nobis et illis fides, unus Deus, idem Christus, eadem spes, eadem lavacri sacramenta; scmel dixerim, una Ecclesia sumus.*—Id. de Virg. Vel. cap. II. [Opp. p. 173 D.]

<sup>a</sup> *Καὶ μίαν εἶναι τὴν καθολικὴν αἵτοῦ Ἐκκλησίαν βεβούληγαν. ἡς αἱ καὶ τὰ μάλιστα εἰς πολλοὺς καὶ διαφόρους τόπους τὰ μέρη διέργησαν ἀλλ' ὅμως ἐν Πνεύματι, τουτέστι τῷ Θείῳ θουλήματι, θάλπεται.*—Const. M. in Ep. ad Eccles. apud Euseb. Vit. Const. III. 18.

*us be his members, that by the joints of charity and faith he might make us one body in himself<sup>b</sup>.* Clemens Alexandrinus defineth the Church: *A people gathered together out of Jews and Gentiles into one faith, by the giving of the testaments fitted into unity of faith<sup>c</sup>.* This one Church therefore partakes of the nature of unity, which heresies violently endeavour to divide into many; and therefore we affirm the ancient and Catholic Church, whether we respect its constitution or our conception of it, its beginning or its excellency, to be but one; which into the belief of that one Creed which is agreeable to its own peculiar testaments, or rather to that one and the same testament, in times however different, by the will of one and the same God, through one and the same Lord, doth unite and combine together all those who are before ordained, whom God hath predestinated, as knowing that they would be just persons, before the foundation of the world<sup>d</sup>.

Many passages in the Fathers, applicable to

<sup>b</sup> *Caput nostrum, quod Christus est, ad hoc sua esse membra nos voluit, ut per compagem charitatis et fidei unum nos in se corpus efficeret.*—Greg. M. Ep. vii. 111. [Ep. ix. 106. Opp. Tom. II. col. 1006 E.]

<sup>c</sup> 'Ο ἐκ νόμου καὶ ἐξ ἀθώων εἰς τὴν μίαν πίστιν συναγόμενος λαός.

—Strom. vi. Init. [Opp. Tom. II. p. 736.]

Τῇ κατὰ τὰς διαθήκας δόσει σκευαζόμενον εἰς ἐνότητα τῆς πίστεως.—Ibid. VII. (p. 516.) [p. 870.]

<sup>d</sup> Τῇ γοῦν τοῦ ἐνδε φύσει συγκληροῦται Ἐκκλησία ἡ μία, ἣν εἰς πολλὰς κατατέμενιν βιάζονται αἰρέσεις· κατά τε οὐν ὑπόστασιν, κατά τε ἐπίνοιαν, κατά τε ἀρχὴν (principium), κατά τε ἐξοχὴν, μόνην εἶναι φαμεν τὴν ἀρχαίαν καὶ καθολικὴν Ἐκκλησίαν, εἰς ἐνότητα πίστεως μᾶς τῆς κατὰ τὰς οἰκείας διαθήκας, μᾶλλον δὲ κατὰ τὴν διαθήκην τὴν μίαν διαφόροις τοῖς χρόνοις, ἐνδε τοῦ Θεοῦ τῷ βουλήματι δι' ἐνδε τοῦ Κυρίου, συνάγοντας τοὺς ἡδη κατατεταγμένους, οὓς προσόρισεν, δικαίους ἀσομένους πρὸς καταβολῆς κόσμου δύνακάς.—Strom. vii. (p. 549.) [p. 899.]

this point, we have alleged in the foregoing discourses<sup>o</sup>.

4 The constitution of such an unity doth involve the vesting some person or some number of persons with a sovereign authority, (subordinate to our Lord,) to be managed in a certain manner; either absolutely, according to pleasure; or limitedly, according to certain rules prescribed to it.

But that there was ever any such authority constituted, or any rules prescribed to it by our Lord, or his Apostles, doth not appear; and there are divers reasonable presumptions against it.

It is reasonable, that whoever claimeth such authority, should for assuring his title shew patents of his commission, manifestly expressing it; how otherwise can he justly demand obedience, or any with satisfaction yield thereto?

It was just that the institution of so great authority should be fortified with an undoubted charter, that its right might be apparent, and the duty of subjection might be certain.

If any such authority had been granted by God, in all likelihood it would have been clearly mentioned in Scripture; it being a matter of high importance among the establishments of Christianity, conduced to great effects, and grounding much duty. Especially considering that there is in Scripture frequent occasion of mentioning it; in way of history, touching the use of it (the acts

<sup>o</sup> Catholicam facit simplex et verus intellectus, intelligere singulare, ac verissimum sacramentum, et unitas animorum.—Opt. 1 (p. 14.)

Ecclesia non parietibus consistit, sed in dogmatum veritate, &c.—Hier. Breviar. in Psal. Ps. cxxxiii. [Opp. Tom. II. col. 472.]

of sovereign power affording chief matter to the history of any society); in way of direction to those governors how to manage it; in way of exhortation to inferiors how to behave themselves in regard to it; in way of commanding the advantages which attend it: it is therefore strange that no mention is so balked.

The Apostles do often speak concerning Ecclesiastical affairs of all natures, concerning the decent administration of things, concerning preservation of order and peace, concerning the furtherance of education, concerning the prevention and removal of heresies, schisms, factions, disorders: upon any of which occasions it is marvellous that they should not touch that constitution which was the proper means appointed for maintenance of truth, order, peace, decency, edification, and all such purposes, or remedy of all contrary mischiefs.

There are mentioned divers schisms and dissensions, the which the Apostles did strive by instruction and persuasion to remove; in which cases, supposing such an authority in being, it is a wonder that they do not mind the parties dissenting of having recourse thereto for decision of their causes, that they do not exhort them to a submission thereto, that they do not reprove them for declining such a remedy.

It is also strange, that no mention is made of any appeal made by any of the dissenting parties to the judgment of such authority.

Indeed, if such an authority had then been vowed by the Christian Churches, it is hardly conceivable that any schisms could subsist, there being so powerful a remedy against them; then

notably visible and most effectual, because of it fresh institution, before it was darkened or weakened by age.

Whereas the Apostolical writings do inculcate our subjection to one Lord in heaven, it is much they should never consider his vicegerent, or vicegerents, upon earth; notifying and pressing the duties of obedience and reverence toward them.

There are, indeed, exhortations to honour the elders, and to obey the guides of particular Churches; but the honour and obedience due to those paramount authorities, or universal governors, is passed over in dead silence, as if no such thing had been thought of.

They do expressly avow the secular pre-eminence, and press submission to the Emperor as Supreme; why do they not likewise mention this no less considerable Ecclesiastical supremacy, or

<sup>Rom. xiii.</sup> enjoin obedience thereto? why honour the King <sup>1.</sup>  
<sup>Tit. iii. 1.</sup> and be subject to principalities so often, by  
<sup>1 Pet. ii.</sup> honour the spiritual Prince or Senate doth never <sup>13, 17.</sup>  
<sup>1 Tim. ii. 2.</sup> occur?

If there had been any such authority, the

management of so high a trust, for preventing miscarriages and abuses to which it is notoriously liable.

It would have been declared absolute, or the limits of it would have been determined, to prevent its enslaving God's heritage.

But of these things in the Apostolical writings, or in any near those times, there doth not appear any footprint or pregnant intimation.

There hath never to this day been any place but one, (namely Rome,) which hath pretended to be the seat of such an authority; the plea whereof we largely have examined.

At present we shall only observe, that before the Roman Church was founded, there were Churches otherwhere: there was a great Church at Jerusalem<sup>f</sup>, *Acts ii. 41, 47*; (which, indeed, was *The mother of all Churches*<sup>g</sup>, and *iv. 4; vi. 1; viii. 1.* was by the Fathers so styled, however Rome now arrogates to herself that title). There were, issuing from that mother, a fair offspring of Churches (those *Acts ix. 31; xv. 41; xi. 19; viii. 1.* of Judæa, of Galilæa, of Samaria, of Syria and Cilicia, of divers other places) before there was any *i. 19. Rom. xvi. 4.* Church at Rome, or that St Peter did come thither; which was at least divers years after our Lord's ascension<sup>h</sup>. St Paul was converted——after five years *Gal. i. 18, 19; ii. 1, 9, 11.* he went to Jerusalem, then St Peter was there; after fourteen years thence he went to Jerusalem again, and then St Peter was there; after that, he met with St Peter at Antioch. Where then was

<sup>f</sup> Ἐπληθύνετο ὁ ἀριθμὸς τῶν μαθητῶν ἐν Ἱερουσαλήμ σφράδρα.—*Acts vi. 7.*

<sup>g</sup> Μήτηρ ἀπασῶν τῶν Ἐκκλησιῶν ή ἐν Ἱεροσολύμοις.—*Ep. Syn. Conc. Constant. apud Theod. Eecl. Hist. v. 9.*

<sup>h</sup> Cf. *Vales.* in *Euseb.* p. 16. [See *Treatise of the Pope's supremacy*, p. 189, (note.)]

12 *A Discourse on the Unity*

the ~~Christian~~ <sup>Christian</sup> ~~Church~~ <sup>Church</sup>. How then did the political ~~unity~~ <sup>unity</sup> of the ~~Christian~~ <sup>Christian</sup> ~~Church~~ <sup>Church</sup> exist? Was the seat of the ~~Christian~~ <sup>Christian</sup> ~~Church~~ <sup>Church</sup> ~~resident~~ <sup>resident</sup> at Jerusalem, when it ~~was~~ <sup>was</sup> ~~placed~~ <sup>placed</sup> there? Did it walk thence to ~~Jerusalem~~ <sup>Jerusalem</sup> ~~living~~ <sup>living</sup> ~~there~~ <sup>there</sup> for seven years? The ~~Christian~~ <sup>Christian</sup> ~~Church~~ <sup>Church</sup> ~~resided~~ <sup>resided</sup> in Emmaus, and settled there for some. But this varying and inconstancy ~~people~~ <sup>people</sup>?

3. The primitive state of the Church did not ~~call~~ <sup>call</sup> ~~any~~ <sup>any</sup> ~~one~~ <sup>one</sup> ~~place~~ <sup>place</sup> ~~unto~~ <sup>unto</sup> ~~any~~ <sup>any</sup> ~~place~~ <sup>place</sup>.

3. Christian Churches were founded in distant ~~parts~~ <sup>parts</sup> of the ~~earth~~ <sup>earth</sup> for ~~find~~ <sup>find</sup> opportunity, or ~~re~~ <sup>re</sup> ~~turn~~ <sup>turn</sup> ~~direction~~ <sup>direction</sup> to found them: which therefore ~~were~~ <sup>were</sup> ~~without~~ <sup>without</sup> ~~extreme~~ <sup>extreme</sup> ~~inconveniences~~ <sup>inconveniences</sup>, have ~~set~~ <sup>set</sup> ~~no~~ <sup>no</sup> ~~standard~~ <sup>standard</sup> to the ~~unity~~ <sup>unity</sup>, anywhere fixed.

3. Each Church therefore ~~separately~~ <sup>separately</sup> did order its ~~own~~ <sup>own</sup> ~~affairs~~ <sup>affairs</sup> ~~without~~ <sup>without</sup> ~~reference~~ <sup>reference</sup> to others, except for ~~extreme~~ <sup>extreme</sup> ~~affairs~~ <sup>affairs</sup> or ~~relief~~ <sup>relief</sup> in cases of extraordinary ~~affection~~ <sup>affection</sup> or ~~great~~ <sup>great</sup> ~~need~~ <sup>need</sup>.

3. Each Church was endowed with a perfect liberty, and a full ~~independence~~ <sup>independence</sup>, ~~without~~ <sup>without</sup> dependence or subordination to others, to govern its own members, to ~~decide~~ <sup>decide</sup> its own ~~affairs~~ <sup>affairs</sup>, to decide controversies and ~~disputes~~ <sup>disputes</sup> ~~among~~ <sup>among</sup> themselves, without allowing appeals, or rendering accounts to others.

3. This appeared by the apostolical writings of St Paul and St John to single Churches; wherein they are supposed able to exercise spiritual power for ~~establishing~~ <sup>establishing</sup> ~~decaying~~ <sup>decaying</sup>, removing disorders, correcting ~~abuses~~ <sup>abuses</sup>, healing ~~cases~~ <sup>cases</sup>, &c.

3. This ~~independence~~ <sup>independence</sup> and ~~liberty~~ <sup>liberty</sup> of Churches doth appear to have long continued in practice inviolate; although tempered and modelled in accommodation to the ~~circumstances~~ <sup>circumstances</sup> of place and time.

It is true, that if any Church did notoriously forsake the truth, or commit disorder in any kind, other Churches did sometime take upon them (as the case did move) to warn, advise, reprove it, and to declare against its proceedings, as prejudicial, not only to the welfare of that Church, but to the common interests of truth and peace; but this was not in way of commanding authority, but of fraternal solicitude; or of that liberty which equity and prudence do allow to equals in regard to common good: so did the Roman Church interpose in reclaiming the Church of Corinth from its disorders and seditions<sup>1</sup>: so did St Cyprian and St Denys of Alexandria meddle in the affairs of the Roman Church, exhorting Novatian and his adherents to return to the peace of their Church.

It is also true, that the Bishops of several adjacent Churches did use to meet upon emergencies, (concerning the maintenance of truth, order, and peace; concerning settlement and approbation of pastors, &c.) to consult and conclude upon expedients for attaining such ends; this probably they did at first in a free way, without rule, according to occasion, as prudence suggested; but afterwards, by confederation and consent, those conventions were formed into method, and regulated by certain orders established by consent, whence did arise an Ecclesiastical unity of government within certain precincts, much like that of the United States in

<sup>1</sup> Iren. III. 3. [§ 3. Ἐπὶ τούτου οὐν τοῦ Κλήμεντος στάσεως οὐκ ἀλίγει τοῖς ἐν Κορίνθῳ γενομένης ἀδελφοῖς, ἐπέστειλεν ἡ ἐν Ρώμῃ Ἐκκλησίᾳ ἰκανωτάτην γραφὴν τοῖς Κορινθίοις, εἰς εἰρήνην συμβιβάζουσα αὐτοὺς, καὶ ἀνανεώσα τὴν πίστιν αὐτῶν, καὶ ἡν νεωστὶ ἀπὸ τῶν ἀποστόλων παράδοσιν εἰλήφει.—p. 176.]

the Netherlands; the which course was very prudential, and useful for preserving the truth of Religion and unity of faith against heretical devices springing up in that free age; for maintaining concord and good correspondence among Christians, together with an harmony in manners and discipline; for that otherwise Christendom would have been shattered and crumbled into numberless parties, discordant in opinion and practice; and consequently alienated in affection, which inevitably among most men doth follow difference of opinion and manners; so that in short time it would not have appeared what Christianity was, and consequently the Religion, being overgrown with differences and discords, must have perished.

Thus in the case, about admitting the *Lapsi* to communion, St Cyprian relates: *When the persecution [of Decius] ceased, so that leave was now given us to meet in one place together, a considerable number of Bishops whom their own faith and God's protection had preserved sound and entire, [from the late apostasy and persecution,] being assembled, we deliberated of the composition of the matter with wholesome moderation<sup>k</sup>, &c.* Which thing also *Agrippinus* of blessed memory with his other fellow-Bishops, who then governed the Church of Christ in the African province, and in Numidia, did establish; and by the well-weighed exami-

<sup>k</sup> *Persecutione sopita, cum data esset facultas in unum conveniendi, copiosus Episcoporum numerus, quos integros et incolumes fides sua ac Domini tutela protexit, in unum convenimus, et Scripturis Divinis ex utraque parte prolatis, temperamentum salubri moderatione libravimus, &c.*—Ep. LII. (ad Antonian.) [Opp. p. 67.]

*nation of the common advice of them all together confirmed it<sup>1</sup>.*

Thus it was the custom in the Churches of Asia, as Firmilian telleth us in those words: *Upon which occasion it necessarily happens, that every year we the elders and rulers do come together to regulate those things which are committed to our care; that if there should be any things of greater moment, by common advice they be determined<sup>m</sup>.*—

Yet while things went thus, in order to common truth and peace; every Church in more private matters, touching its own particular state, did retain its liberty and authority, without being subject or accountable to any but the common Lord; in such cases even Synods of Bishops did not think it proper or just for them to interpose, to the prejudice of that liberty and power which derived from a higher source<sup>n</sup>.

These things are very apparent, as by the course of Ecclesiastical History, so particularly in that most precious monument of antiquity, St Cyprian's Epistles; by which it is most evident, that in those times every Bishop or Pastor was conceived

<sup>1</sup> Quod quidem et Agrippinus bonæ memoriae vir cum cæteris coepiscopis suis qui illo in tempore in provincia Africa et Numidia Ecclesiam Domini gubernabant, statuit et librato consilii communis examine firmavit.—Ep. lxxi. (ad Quint.) [Opp. p. 127.]

<sup>m</sup> Qua ex causa necessario apud nos fit, ut per singulos annos seniores et præpositi in unum conveniamus ad disponenda ea quæ curæ nostræ commissa sunt; ut si qua graviora sunt, communi consilio dirigantur.—Inter Cypr. Opp. Ep. lxxv. [p. 143.]

<sup>n</sup> Suporest ut de hac ipsa re singuli quid sentiamus, proferamus, neminem judicantes, aut a jure communionis aliquem, si diversum senserit, amoventes.—Conc. Carthag. apud Cypr. [Opp. p. 329.]

Vid. Syn. Antioch. Can. ix. [Mans. Conc. Tom. ii. col. 1312 c.]

to have a double relation or capacity; one toward his own flock, another toward the whole flock<sup>o</sup>: one toward his own flock; by virtue of which, he taking advice of his presbyters, together with the conscience of his people assisting<sup>p</sup>, did order all things tending to particular edification, order, peace, reformation, censure, &c. without fear of being troubled by appeals, or being liable to give any account, but to his own Lord, whose vicegerent he was<sup>q</sup>: another toward the whole Church, in behalf of his people; upon account whereof he did (according to occasion or order) apply himself to confer with other Bishops for preservation of the common truth and peace, when they could not otherwise be well upheld, than by the joint conspiring of the Pastor of divers Churches.

<sup>o</sup> Vide Epp. xiv. xviii. xxviii. xxxix.

<sup>p</sup> Sub populi assistentis conscientia.—Ep. LXVIII. [Opp. p. 118.]

<sup>q</sup> —— Actum suum disponit, et dirigit unusquisque Episcopus, rationem propositi sui Domino redditurus.—Ep. LII. [Opp. p. 72.] *Every Bishop ordereth and directeth his own acts, being to render an account of his purpose to the Lord.*

Cum statutum sit ab omnibus nobis et sequum sit pariter ac justum, ut uniuscujusque causa illic audiatur, ubi est crimen admissum; et singulis pastoribus portio gregis sit adscripta, quam regat unusquisque et gubernet, rationem actus sui Domino redditurus.—Ep. LV. ad P. Cornel. [Opp. p. 86.] *Since it is ordained by us all, and it is likewise just and equal that every man's cause should be there judged where the crime is committed; and to each pastor a portion of the flock is assigned, which he is to rule and govern, being to give an account of his act to the Lord.*

Qua in re nec nos vim cuiquam facimus, nec legem damus, quando habeat in Ecclesiæ administratione voluntatis sue liberum arbitrium unusquisque præpositus, rationem actus sui Domino redditurus.—Ep. LXIII. ad Steph. P. [Opp. p. 129.] *In which matter neither do we offer violence to any man, nor prescribe any law, since every Bishop hath in the government of his Church the free power of his will, being to render an account of his own act unto the Lord.*

—Vid. Epp. LXXIII. LXXVI.

So that the case of Bishops was like to that of Princes; each of whom hath a free superintendence in his own territory, but for to uphold justice and peace in the world, or between adjacent nations, the intercourse of several Princes is needful.

The peace of the Church was preserved by communion of all parts together, not by the subjection of the rest to one part.

7 This political unity doth not well accord with the nature and genius of the Evangelical dispensation.

Our Saviour affirmed, that his kingdom is not <sup>John xviii.</sup> of this world; and St Paul telleth us, that it con-<sup>36.</sup> sisteth in a spiritual influence upon the souls of <sup>Rom. xiv.</sup><sup>17.</sup> men; producing in them virtue, spiritual joy, and peace.

It disavoweth and discountenanceth the ele-<sup>Gal. iv.</sup> ments of the world, by which worldly designs are <sup>3, 9.</sup> <sup>Col. ii. 20.</sup> carried on, and worldly frames sustained.

It requireth not to be managed by politic artifices or fleshly wisdom, but by simplicity, sincerity, plain dealing: as every subject of it must lay aside all guile and dissimulation, so especially <sup>1 Pet. ii. 1.</sup> the officers of it must do so, in conformity to the Apostles, who had their conversation in the world <sup>2 Cor. 1.</sup> (and prosecuted their design) in simplicity and <sup>12; iv. 2;</sup> <sup>ii. 17.</sup> godly sincerity, not with fleshly wisdom, but by <sup>1 Thess. ii.</sup> <sup>3, 5.</sup> the grace of God; not walking in craftiness, or handling the word of God deceitfully, &c.

It needeth not to be supported or enlarged by wealth and pomp, or by compulsive force and violence; for, *God hath chosen the foolish things of the world to confound the wise; and the weak things of the world to confound the mighty; and* <sup>1 Cor. i.</sup> <sup>27, 28.</sup> <sup>James ii. 5.</sup>

base, despicable things, &c.  
2 Cor. x. 4 glory in his presence: and, *T  
hose are not carnal, but mig*

It discountenanceth the i  
Maz. 25. 25. and precepts, beside those w  
Col. 2. 20. ed, or which are necessary for  
S. 20. 21. derogating from the liberty  
Gal. 2. 12. the simplicity of our Religio

The government of the  
presented purely spiritual; i  
persuasion, not by imperiou  
ministry, not as stately don  
2 Cor. i. 24. stles themselves did not lor  
2 Cor. iv. 5. but did co-operate to the  
preach themselves, but Cl  
Lord; and themselves thei

1 Pet. v. 3. It is expressly forbidden  
Matt. xx. 15. over God's people.

2 Cor. vi. 4. They are to be qualifie  
1 Tim. iii. 3. patience; they are forbidden  
Tit. ii. 2. to be gentle toward all, a  
2 Tim. ii. 24. 25. meekness instructing those the

1 Tim. i. 2. They are to convince, to  
all long-suffering and doctrin

They are furnished with  
divine panoply<sup>\*</sup>; they bear  
Eph. vi. 17. the Spirit; which is the wor  
teach, reprove, — they ca

<sup>†</sup> Episcopus praecet voluntibus, ne  
(ad Nepot.) [Verbatim. Ut Regi, i  
quam Episcopo. Ille enim nolentil  
Epith. Nepot. Opp. Tom. iv. P. ii. c

<sup>†</sup> Αναλάβετε τὴν πανοπλίαν τοῦ Θεο  
<sup>†</sup> Εγγαίσθε οὐ βιαζόμενος, ἀλλὰ  
τυπούτως.—Chrys. de Sacerd. p. 2.

They are not to be entangled in the cares of <sup>2 Tim.ii.4.</sup> **this life**<sup>u</sup>.

But supposing the Church was designed to be one in this manner of political regiment, it must be quite another thing, nearly resembling a worldly state, yea, in effect soon resolving itself into such an one; supposing, as is now pretended, that its management is committed to an Ecclesiastical Monarch, it must become a worldly kingdom<sup>x</sup>; for such a polity could not be upheld without applying the same means and engines, without practising the same methods and arts, whereby secular governments are maintained<sup>y</sup>.

Its majesty must be supported by conspicuous pomp and phantistry.

Its dignity and power must be supported by wealth; which it must corrade and accumulate by large incomes, by exaction of tributes and taxes.

It must exert authority in enacting of laws for keeping its state in order, and securing its interests, backed with rewards and pains; especially considering, its title being so dark, and grounded on no clear warrant, many always will contest it.

It must apply constraint and force, for procuring obedience, and correcting transgression.

It must have guards to preserve its safety and authority.

<sup>u</sup> Μᾶλιστα γὰρ ἀπάντων Χριστιανοῖς οὐκ ἐφεῖται πρὸς βίαν ἐπανορθοῦν τὰ τῶν ἀμαρτανόντων πταίσματα ———.—Id. ibid.

<sup>x</sup> Ἐτερόν τι παρὰ τὰς πολιτικὰς ἀρχὰς οἱ ἀρχοντες.—Arist. Pol. IV. 16.

<sup>y</sup> Attendens itaque sancta Synodus, quod spiritualia sine carnalibus sustineri nequeant.—Conc. Basil. Sess. XLII. [Bin. Tom. VIII. p. 108, c. 2 z.] [Mans. Conc. Tom. xxix. col. 208 A.]

It must be engaged in  
and make good its interests.

It must use subtlety and  
its interests, and countermin-  
saries.

It must erect judicator  
causes with formality of  
tedious suits, crafty pleadir  
pettifoggeries, fees and char-  
retry, &c. will necessarily cre-

All which things do m  
original constitution and d  
Church<sup>3</sup>, which is averse fi  
domination, doth not require  
to maintain it; but did at  
without any such means.

I do not say, that an Ec  
not lawfully, for its suppo  
wealth, in some measure to i  
but that a constitution need  
divine; or that so far as it  
more than human.

Thus in effect we see th  
from the pretence of this u  
indeed, transformed the Chu  
state; wherein the **Monarch**  
an Emperor, in external sp.  
worldly Princes; crowned wi

<sup>3</sup> *Is modus, qui frequentatur, ei  
dico Ecclesiam, sed nec Forum dece-  
10. [Opp. Tom. iv. fol. 4.]*

<sup>4</sup> *Omnis pulchritudo filiae Regis in  
[Ep. xxxvi. ad Casul. Opp. Tom. II. c  
b One crown doth serve an Emper*

He assumeth the most haughty titles of, our most holy Lord, the Vicar-general of Christ, &c. and he suffereth men to call him the Monarch of Kings, &c.

He hath respects paid him, like to which no potentate doth assume, (having his feet kissed, riding upon the backs of men, letting Princes hold his stirrup and lead his horse<sup>c</sup>).

He hath a court, and is attended with a train of courtiers surpassing in state and claiming precedence to the peers of any kingdom<sup>d</sup>.

He is encompassed with armed guards: Switzers.

He hath a vast revenue, supplied by tributes and imposts, sore and grievous; the exaction of which hath made divers nations of Christendom to groan most lamentably.

He hath raised numberless wars and commotions for the promotion and advancement of his interests.

He administereth things with all depth of policy, to advance his designs.

He hath enacted volumes of laws and decrees, to which obedience is exacted with rigour and forcible constraint<sup>e</sup>.

He draweth grist from all parts to his courts of judgment, wherein all formalities of suspense, all the tricks of squeezing money, &c. are practised,

to kiss the hands of a king is a sufficient respect, but you cannot salute him without kissing his blessed feet.

<sup>c</sup> That which Seneca did take for a piece of enormous pride in Caligula.—*De Benef.* II. 12.

<sup>d</sup> Cardin. Vid. Uss. [De Christ. Eccles. Successione et Statu, p. 103. Lond. 1687. The reference is to a long paragraph in Cardinal Benno's Life of Pope Gregory VII., in which much is related of the presumptuous proceedings of that Pope.]

<sup>e</sup> Sub mortali. He imposes rigorous oaths of fealty and obedience.

to the great trouble and concerned.

Briefly, it is plain, that proudest, mightiest, subtlest was over Christians<sup>1</sup>.

8 The union of the who under one government or would be inconvenient and the main designs of Christia welfare and peace of manki

This we have shewed ] the pretence of the Papacy being applicable to any lit (perhaps with more adva less subject to abuse than ment,) I shall forbear to say

9 Such an union is of small use, or would do little great mischiefs and inconve produce.

This point also we have the Papacy; and we might s any other like authority sul

10 Such a connexion o wise needful or expedient tianity; which is to reduce ledge, love, and reverence loving conversation together, sobriety, temperance, purit other virtues; all which thi without forming men into si

It is expedient there sh

<sup>1</sup> Exaltatio, et inflatio, et arrogatio Christi magisterio, qui humilitatem de nascitur.—Cypr. Ep. lv. (ad P. Cori

cieties, in which men may concur in worshipping God, and promoting that design by instructing and provoking one another to good practice, in a regular, decent, and orderly way.

It is convenient that the subjects of each temporal sovereignty should live, as in a civil, so in a spiritual uniformity, in order to the preservation of good-will and peace among them, (for that neighbours differing in opinion and fashions of practice will be apt to contend each for his way, and thence to disaffect one another,) for the beauty and pleasant harmony of agreement in Divine things, for the more commodious succour and defence of truth and piety by unanimous concurrence.

But that all the world should be so joined is needless; and will be apt to produce more mischief than benefit.

11 The Church, in the Scripture sense, hath ever continued one; and will ever continue so; notwithstanding that it hath not had this political unity.

12 It is in fact apparent, that Churches have not been thus united, which yet have continued Catholic and Christian.

It were great, no less folly than uncharitableness to say, that the Greek Church hath been none.

There is no Church that hath in effect less reason than that of Rome to prescribe to others.

13 The reasons alleged in proof of such an unity are insufficient and inconcluding; the which (with great diligence, although not with like perspicuity) advanced by a late divine of great repute,

*Ans.* 2. We do avow a Catholic Church in many respects one; wherefore not the unity of the Church, but the kind and manner of unity being in question, the Creed doth not oppose what we say, nor can with reason be alleged for the special kind of unity which is pretended.

*Ans.* 3. That the unity mentioned in the Constantinopolitan Creed is such as our adversaries contend for, of external policy, is precariously assumed, and relieth only upon their interpretation obtruded on us.

*Ans.* 4. The genuine meaning of that article may reasonably be deemed this: That we profess our adhering to the body of Christians, which diffused over the world doth retain the faith taught, the discipline settled, the practices appointed by our Lord and his Apostles; that we maintain general charity toward all good Christians, that we are ready to entertain communion in holy offices with all such; that we are willing to observe the laws and orders established by authority or consent of the Churches, for maintenance of truth, order, and peace; that we renounce all heretical doctrines, all disorderly practices, all conspiracy with any factious combinations of people<sup>1</sup>.

*Ans.* 5. That this is the meaning of the article may sufficiently appear from the reason and occasion of introducing it; which was to secure the truth of Christian doctrine, the authority of Ecclesiastical discipline, and the common peace of the Church; according to the discourses and arguments of the Fathers, (Irenæus, Tertullian,

<sup>1</sup> Παρασυναγωγαί.

assemblies for God's service; a power to ordain Governors and Pastors.

*Ans.* 1. These powers are granted to the Church, because granted to each particular Church, or distinct society of Christians; not to the whole, as such, or as distinct from the parts.

*Ans.* 2. It is evident, that by virtue of such grants particular Churches do exercise those powers; and it is impossible to infer more from them than a justification of their practice.

*Ans.* 3. St Cyprian often, from that common grant, doth infer the right of exercising discipline in each particular Church; which inference would not be good, but upon our supposition; nor, indeed, otherwise would any particular Church have ground for its authority.

*Ans.* 4. God hath granted the like rights to all princes and states; but doth it thence follow, that all kingdoms and states must be united in one single regiment? The consequence is just the same as in our case.

*Arg. V.<sup>m</sup>* All Churches were tied to observe the same laws or rules of practice, the same orders of discipline and customs; therefore all do make <sup>1 Cor. xi.</sup> <sub>16.</sub> one corporation.

*Ans.* 1. That all Churches are bound to observe the same Divine institutions, doth argue only an unity of relation to the same heavenly King, or a specifical unity and similitude of policy, the which we do avow.

*Ans.* 2. We do also acknowledge it convenient and decent, that all Churches in principal observances, introduced by human prudence, should

<sup>m</sup> Epil. pp. 42, 49. Lat. pp. 151, 219.

*Ans.* 5. St Cyprian<sup>P</sup> doth affirm, that in such matters every Bishop had a power to use his own discretion, without being obliged to comply with others.

*Arg. VI.<sup>q</sup>* The Jewish Church was one corporation; and in correspondence thereto the Christian Church should be such.

*Ans.* 1. As the Christian Church doth in some things correspond to that of the Jews, so differeth in others, being designed to excel it: wherefore this argumentation cannot be valid; and may as well be employed for our opinion as against it.

*Ans.* 2. In like manner it may be argued, that all Christians should annually meet in one place; that all Christians should have one Archiest on earth; that we should all be subject to one temporal jurisdiction; that we should all speak one language, &c.

*Ans.* 3. There is a great difference in the case; for the Israelites were one small nation, which conveniently might be embodied; but the Christian Church should consist of all nations, which rendereth correspondence in this particular unpracticable, at least without great inconvenience.

*Ans.* 4. Before the Law, Christian Religion, and consequently a Christian Church, did in substance subsist<sup>r</sup>; but what unity of government was here then?

bviare debeamus, nil judicamus, vel eis resistimus, &c. [Mans. conc. Tom. xv. col. 177 D.]

<sup>P</sup> Cf. Ep. LXXXIII.

<sup>q</sup> Epil. p. 39. Lat. p. 159.

<sup>r</sup> Eus. Hist. Eccl. I. 4. Baron. App. 2.

*Ans.* 5. The temporal union of the Jews might only figure the spiritual unity of Christians in faith, charity, and peace.

*Arg. VII.*<sup>o</sup> All Ecclesiastical power was derived from the same fountains, by succession from the Apostles; therefore the Church was one political body.

*Ans.* 1. Thence we may rather infer, that Churches are not so united, because the founders of them were several persons endowed with co-ordinate and equal power<sup>t</sup>.

*Ans.* 2. The Apostles did in several Churches constitute Bishops, independent from each other; and the like may be now, either by succession from those, or by the constitutions of human prudence, according to emergencies of occasion, and circumstances of things.

*Ans.* 3. Divers Churches were *airōrapoi* and all were so according to St Cyprian.

*Ans.* 4. All temporal power is derived from Adam, and the Patriarchs, ancient fathers of families: doth it thence follow, that all the world must be under one secular government?

*Arg. VIII.*<sup>u</sup> All Churches did exercise a power of excommunication, or of excluding heretics, schismatics, disorderly and scandalous people.

*Ans.* 1. Each Church was vested with this power: this doth therefore only infer a resemblance of several Churches in discipline; which we avow.

*Ans.* 2. This argueth that all Churches took themselves to be obliged to preserve the same

<sup>o</sup> Epil. pp. 51—55. Lat. p. 157.

<sup>t</sup> Cf. Iren. III. 8. Tertul. Præscr. Capp. xxxi. xxxii.

<sup>u</sup> Epil. pp. 59, 125. Lat. pp. 185, 195.

faith, to exercise charity and peace, to maintain the like holiness of conversation: what then? do we deny this?

*Ans. 3.* All kingdoms and states do punish offenders against reason and justice, do banish seditious and disorderly persons, do uphold the principles and practice of common honesty and morality: doth it thence follow that all nations must come under one civil government<sup>x</sup>?

*Arg. IX.*<sup>y</sup> All Churches did maintain intercourse and commerce with each other by *formed, communicatory, pacificatory, commendatory, synodical Epistles*<sup>z</sup>.

*Ans. 1.* This doth signify, that the Churches did by admonition, advice, &c. help one another in

<sup>x</sup> Excommunication of other Churches is only a declaration against the deviation from Christian truth, or piety, or charity. *Communio enim suspensa restituitur demonstranti causas, quibus d acciderat, jam esse detersas, et profitentि conditiones pacis impletas.*—P. Inn. I. Ep. xvi. ad Maxim. de Attico Ep. Const. [Mans. Tom. III. col. 1052.]

<sup>y</sup> Epil. 69. Lat. p. 222.

<sup>z</sup> Litera formatæ.—Optat. [H. Damaso Syricius hodie, cum quo iobis totus orbis, commercio formatarum, in una communionis societate concordat.]

Conc. Milev. II. Can. xx. [Mans. Conc. Tom. IV. col. 331 E.]  
Epistolas communicatoriæ, quas formatas dicimus.—Aug. Ep. LXXXIII. [Ep. XLIV. Opp. Tom. II. col. 102 B.]

*Kai τὰ πάρα τούτου κοινωνικά.*—Euseb. VII. 30. Cf. Cypr. Ep. LV. LXVII.

*Γράμματα συνταγικά.*—Apost. Can. XII. [Mans. Conc. Tom. I. col. 32 B.]

*Επρηγίκατ.*—Conc. Chald. Can. XI. [Mans. Conc. Tom. VII. col. 364 A.]

*Συνοδικά.*—Soz. VII. 11.

Conc. VI. Act. 11. Bin. Tom. V. pp. 158, 198, 223. [Mans. Conc. Tom. XI. col. 460 E. col. 532 D. col. 576 A.]

P. Greg. M. [Ep. I. 24, ad Joan. Episc. Constant. &c.] P. Zach. Baron. Ann. 743. § 29.

Significa plane nobis quis in locum Marciani Arelate fuerit substitutus, ut sciamus ad quem fratres nostros dirigere, et cui scribere

maintenance of the common faith; did endeavour to preserve charity, friendship, and peace: this is all which thence may be concluded.

*Ans. 2.* Secular princes are wont to send ambassadors and envoys with letters and instructions for settlement of correspondence and preserving peace; they sometimes do recommend their subjects to other princes; they expect offices of humanity toward their subjects travelling or trading anywhere in the world; common reason doth require such things; but may common union of polity from hence be inferred?

*Arg. X.* The effectual preservation of unity in the primitive Church is alleged as a strong argument of its being united in one government.

*Ans. 1.* That unity of faith and charity and discipline, which we admit, was, indeed, preserved, not by influence of any one sovereign authority, (whereof there is no mention,) but by the concurrent vigilance of Bishops, declaring and disputing against any novelty in doctrine or practice which did start up; by their adherence to the doctrine asserted in Scripture, and confirmed by tradition; by their aiding and abetting one another as confederates against errors and disorders creeping in.

debeamus——.—Cypr. Ep. LXVII. ad P. Steph. [Opp. p. 117.] Cf. Ep. XLII. [p. 57.] Ep. LV. (N. B. p. 113. Ed. Pamel. p. 84. Ed. Bened.)

*Ἐνὸς σώματος ὅντος τῆς καθολικῆς Ἑκκλησίας, ἐντολὴς τε αἵστης ἡ ταῖς θείαις γραφαῖς τηρεῖν σύνδεσμον τῆς δύνοντος καὶ εἰρήνης, ἀκολουθὸς ἔστι γράφειν ἡμᾶς, καὶ σημαίνειν ἀλλήλοις τὰ παρ' ἔκαστοις γραφόμενα, &c.—Alexandri Epist. apud Socr. i. 6. The Catholic Church being one body, there being moreover a command in the Holy Scripture, to preserve the bond of peace and concord; hence it follows, that what things (happen to, or) are done by any of us, we ought to write, and signify to each other.*

*Epil. p. 64. Lat. p. 221.*

*Ans. 2.* The many differences which arose concerning the observation of Easter, the rebaptization of heretics, the reconciliation of revolters and scandalous criminals; concerning the decision of causes and controversies, &c. do more clearly shew that there was no standing common jurisdiction in the Church: for had there been such an one, recourse would have been had thereto; and such differences by its authority would easily have been quashed.

*Arg. XI.<sup>b</sup>* Another argument is grounded on the relief which one Church did yield to another, which supposeth all Churches under one government, imposing such tribute.

*Ans. 1.* This is a strange fetch: as if all who were under obligation to relieve one another in need, were to be under one government. Then all mankind must be so.

*Ans. 2.* It appeareth by St Paul, that these succours were of free charity, favour, and liberality; and not by constraint<sup>c</sup>.

*Arg. XII.<sup>d</sup>* The use of Councils is also alleged as an argument of this unity.

*Ans. 1.* General Councils (in case truth is disowned, that peace is disturbed, that discipline is loosed or perverted) are wholesome<sup>e</sup> expedients to clear truth and heal breaches: but the holding them is no more an argument of political unity in

<sup>b</sup> Epil. p. 119. Lat. p. 209.

<sup>c</sup> 2 Cor. viii. 3. Αἴθαρτος. Ver. 8. Οὐ κατ' ἐπιταγῆν. 2 Cor. ix. 7. Ἐκαστος καθὼς προαιρεῖται. Rom. xv. 26. Εὐδάκησα. Acts xi. 29, xxiv. 17. Ἐλεημοσύνας ποιήσωτε.

<sup>d</sup> Epil. p. 51. Lat. p. 400.

<sup>e</sup> Aug. [Concilia plenaria, quorum est in Ecclesia saluberrima auctoritas.—Ep. lxxv. ad Jan. Opp. Tom. II. col. 124 B.]

*Ans.* 5. They do shew rather the unity of the Empire than of the Church; or of the Church as national under one Empire, than as Catholic; for it was the State which did call and moderate them to its purposes.

*Ans.* 6. It is manifest that the congregation of them dependeth on the permission and pleasure of secular powers; and in all equity should do so, (as otherwhere is shewed<sup>h</sup>).

*Ans.* 7. It is not expedient that there should be any of them, now that Christendom standeth divided under divers temporal sovereignties; for their resolutions may intrench on the interests of some princes; and hardly can they be accommodated to the civil laws and customs of every state.

Whence we see that France will not admit the decrees of their Tridentine Synod.

*Ans.* 8. There was no such inconvenience in them while Christendom was in a manner confined within one Empire; for then nothing could be decreed or executed without the Emperor's leave, or to his prejudice.

*Ans.* 9. Yea, (as things now stand,) it is impossible there should be a free Council<sup>l</sup>; most of the Bishops being sworn vassals and clients to the

Ecclesia. Quæ nec novam tunc aliquam ac supernaturalem de celebrandis deinceps hujusmodi Conciliis illuminationem, &c. sed Constantini principis pius religiosusque zelus prima eorumdem causa et origo extitit.]

<sup>h</sup> The validity of Synodical decrees (as spiritual) doth proceed from the obligation to each singular Bishop; as if Princes in confederacy do make any sanction, the subjects of each are bound to observe them, not from any relation to the body confederating, but because of their obligation to their own Prince consenting.

<sup>l</sup> Hist. Trid. p. 67.

Leo X.) was called (as the Archbishop of Patras affirmed) *for the exaltation of the Apostolical See<sup>m</sup>*. The Synod of Trent, to settle a raff of errors and superstitions.

*Obj. II.* It may further be objected, that this doctrine doth favour the conceits of the Independents, concerning Ecclesiastical discipline.

I answer, No. For,

1 We do assert, that every Church is bound to observe the institutions of Christ, and that sort of government which the Apostles did ordain, consisting of Bishops, Priests, and people.

2 We avow it expedient (in conformity to the Primitive Churches, and in order to the maintenance of truth, order, peace) for several particular Churches or Parishes to be combined in Political Corporations; as shall be found convenient by those who have just authority to frame such Corporations: for that otherwise Christianity, being shattered into numberless shreds, could hardly subsist; and that great confusions must arise.

3 We affirm, that, such bodies having been established and being maintained by just authority, every man is bound to endeavour the upholding of them by obedience, by peaceable and compliant demeanour.

4 We acknowledge it a great crime<sup>n</sup>, by factious behaviour in them, or by needless separation

<sup>m</sup> Pro Apostolice Sedis exaltatione.—Sess. x. Bin. Tom. ix. p. 129. [c. 1 f.]

<sup>n</sup> We allow the Apost. Can. xxx. [Mans. Conc. Tom. I. col. 36 A.] Εἴ τις καταφρονήσας τοῦ Ιδίου ἐπισκόπου, χωρὶς συναγάγη, καὶ θυσιαστήριον ἔτερον πήξει, μηδὲν κατεγραφώς τοῦ ἐπισκόπου ἐν εὐσεβείᾳ καὶ δικαιοσύνῃ, καθαιρείσθω ὡς φιλαρχος, &c. *If any person, despising*

From the premises divers corollaries may be deduced.

1 Hence it appeareth, that all those clamours of the pretended Catholics against other Churches, for not submitting to the Roman chair, are groundless; they depending on the supposition, that all Churches must necessarily be united under one government.

2 The injustice of the adherents to that See; in claiming an empire (or jurisdiction) over all, which never was designed by our Lord; heavily censuring and fiercely persecuting those who will not acknowledge it.

3 All Churches, which have a fair settlement in several countries, are co-ordinate; neither can one challenge a jurisdiction over the other.

4 The nature of schism is hence declared; viz. that it consisteth in disturbing the order and peace of any single Church; in withdrawing from it obedience and compliance with it; in obstructing good correspondence, charity, peace, between several Churches; in condemning or censuring other Churches without just cause, or beyond due measure. In refusing to maintain communion with other Churches, without reasonable cause; whence Firmilian did challenge Pope Stephanus with schism<sup>4</sup>.

5 Hence the right way of reconciling dissensions among Christians is not affecting to set up a political union of several Churches, or subordination of all to one power; not for one Church to

<sup>4</sup> *Excidisti enim te ipsum. Noli te fallere. Siquidem ille est vere schismaticus, qui se a communione Ecclesiastice unitatis apostatam fecerit.*—Firmil. apud Cypr. Ep. lxxv. [Opp. p. 150.]

6 All that withdraw their communion or obeisance from particular Churches fairly established, (unto which they do belong, or where they reside,) do incur the guilt of schism: for such persons being *de jure* subject to those particular Churches<sup>1</sup>, and excommunicating themselves, do consequentially sever themselves from the Catholic Church; they commit great wrong toward that particular Church, and toward the whole Church of Christ.

7 Neither doth their pretence of joining themselves to the Roman Church excuse them from schism: for the Roman Church hath no reason or right to admit or to avow them; it hath no power to exempt or excuse them from their duty; it thereby abetteth their crime, and involveth itself therein; it wrongeth other Churches. As no man is freed from his allegiance by pretending to put himself under the protection of another Prince; neither can another Prince justly receive such disloyal revolters into his patronage.

It is a rule grounded upon apparent equity, and frequently declared by Ecclesiastical Canons, that no Church shall admit into its protection or communion any persons who are excommunicated by another Church, or who do withdraw them-

*Ἐγὼ μέν εἰμι Παύλον, ἄγω δὲ Ἀπολλώ, ἄγω δὲ Κηφᾶ· πάντες δὲ Χριστοῦ φανέντες, δε ἐν ἡμῖν οὐ μεμέρισται ἀσχιστον τὸ σῶμα τῆς Ἐκκλησίας τηρήσομεν, καὶ τῷ βίβλῳ τοῦ Κυρίου μετὰ παρόντος παραστησόμεθα.*

—Theodor. Hist. Eccl. v. 9.

*Te certe occidentalis terra generavit, occidentalis regeneravit Ecclesia. Quid ei quæris inferre, quod in ea non invenisti, quando in ejus membra venisti? Immo quid ei quæris auferre, quod in ea tu quoque accepisti?—Aug. con. Jul. Pel. [Lib. I. cap. iv. Opp. Tom. x. col. 504 d.]*

*one agreement of mind, they could not do it in opposition to their worthy fellow-labourer, who was also his father<sup>a</sup>.*

St Cyprian<sup>b</sup> refused to admit Maximus (sent from the Novatian party) to communion.

So did Pope Cornelius reject Felicissimus, condemned by St Cyprian<sup>c</sup>, without further inquiry.

It was charged upon Dioscorus as a heinous misdemeanour, that *He had, against the holy Canons, by his proper authority, received into communion persons excommunicated by others<sup>d</sup>.*

The African Synod (at the suggestion of St Austin) decreed, that *If it happened that any for their evil deeds were deservedly expelled out of the Church, and taken again into communion by any Bishop or Priest whosoever, that he also who received him should incur the same penalty of excommunication<sup>e</sup>.*

<sup>a</sup> Ἐλεγε, τί μὴ ἐθελήσατέ με ὑποδέξασθαι; τῶν δὲ λεγόντων, ὅτι οὐ δυνάμεθα ἄνευ τῆς ἐπιτροπῆς τοῦ τιμίου πατρός σου τοῦτο ποιῆσαι· μία γάρ ἔστιν ἡ πίστις, καὶ μία ἡ ὀμόνοια, καὶ οὐ δυνάμεθα ἐναντιωθῆναι τῷ καλῷ συλλειτουργῷ, πατρὶ δὲ σφ.—Epiph. Hær. xlii. [Tom. I. p. 303 c.]

<sup>b</sup> Ep. LV. [Opp. p. 83.]

<sup>c</sup> Ep. LV. init. (rejectum a te. Vid.) Vid. Rig. Observat. p. 79.

<sup>d</sup> —— quosdam a diversis Conciliis rite damnatos, in communionem, propria auctoritate, suscepit, sanctis regulis praeципientibus, excommunicatos ab aliis, in communionem alios non debere suscipere.—Epist. Syn. Chalced. ad Imper. Act. iv. Bin. Tom. III. p. 286. [c. 1 A.] [Mans. Conc. Tom. VI. col. 1099 A.]

— καθαρεθέντα κανονικῶς παρὰ ταῦ ίδίου Ἐπισκόπου αὐθεντήσας ἀκαρονίστως εἰς κοινωνίαν ἐδέξατο.—Evagr. II. 4.

<sup>e</sup> Augustinus Episcopus, legatus provinciæ Numidie dixit: *Hoc statuere dignamini, ut si qui forte merito facinorum suorum ab Ecclesia pulsi sunt, et sive ab aliquo Episcopo vel Presbytero fuerint in communionem suscepti, etiam ipse pari cum eis crimine teneatur obnoxius*—.—Cod. Afr. Can. IX. [Bin. Tom. I. p. 307, c. 2 B.]

voluptuous designs of those men;) so it doth remove the genuine unity of the Church, and peace of Christians; unless to be tied by compulsory chains (as slaves) be deemed unity or peace.

9 Yet those Churches, which, by the voluntary consent or command of Princes, do adhere in confederation to the Roman Church, we are not, merely upon that score, to condemn or reject from communion of charity or peace; (for in that they do but use their liberty).

10 But if such Churches do maintain impious errors; if they do prescribe naughty practices; if they do reject communion and peace upon reasonable terms; if they vent unjust and uncharitable censures; if they are turbulent and violent, striving by all means to subdue and enslave other Churches to their will or their dictates —if they damn and persecute all who refuse to be their subjects: in such cases we may reject such Churches as heretical or schismatical, or wickedly uncharitable and unjust in their proceedings<sup>h</sup>.

<sup>h</sup> *Cuicunque hæresi communicans merito judicatur a nostra societate removendus.*—Gelas. Ep. i. ad Euphem. [Mans. Conc. Tom. VIII. col. 7 d.]

*An communicare, non est consentire cum talibus?*—P. Sym. I. Ep. vi. [Mans. Tom. VIII. col. 214 c.]



**OBSERVATIONS**  
ON THE  
**SYNOD AND CANONS OF SARDICA, &c.\***

\* See Preface.

OBSERVATIONS  
ON THE  
SYNOD AND CANONS OF SARDICA.

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XV. WITH the cause of Athanasius and his fellow-sufferers the Synod of Sardica had coherence, it being assembled upon occasion of these differences about it between the Eastern and <sup>Ann. 345.</sup> Western Bishops; concerning which Synod we remark :

1 It was convocated not by Papal, but by the Imperial authority: *Constantius* (saith Theodoret) commanded the Bishops to convene at Sardica<sup>a</sup>; and, *It seemed good to the Emperors*<sup>b</sup>, saith Sozomen; and *The Emperors granted a Synod to be held*<sup>c</sup>, say the Fathers themselves of that Synod; and the Orientals: *Occurrimus ad Sardicam literis Imperatoris conventi*<sup>d</sup>, &c.

2 The Synod was divided, the Oriental Bishops making a secession, upon pretence that the chief of the Occidental Bishops did admit to communicate and to sit in Council with them heretics and criminal persons<sup>e</sup> (Marcellus, Athanasius, Paulus,

<sup>a</sup> Ο Κωνστάντιος προσέταξεν εἰς τὴν Σαρδικὴν — καὶ τὸν τῆς ἑφάσ καὶ τὸν τῆς ἐσπέρας συνδραμεῖν Ἐπισκόπους.—Eccl. Hist. II. 4.

<sup>b</sup> Ἐδοξε γνώμη τῶν βασιλέων.—Soz. III. 11. Cf. Socr. II. 18. 20.

<sup>c</sup> Σύνοδον γενέσθαι δεδώκασιν.—Athan. Opp. Tom. I. p. 761. [Ed. Paris. 1827.]

<sup>d</sup> Συνήγαγον ἡμᾶς.—Ib. in Synodica ad Episc. p. 761.

<sup>e</sup> [Decret. Synodi Orient. Episc. apud Hilar. Opp. Frag. III. § 14. col. 1315 c.]

<sup>e</sup> Nos enim omnino illis communicare noluiimus, nisi eos quos damnavimus projecissent, et dignum honorem Concilio Orientis tribuerent.—[Decret. Synodi Orient. Episc. Ibid. § 19. col. 1317c.]

Sardica, in their Synodical Epistle<sup>m</sup> to all Bishops, and in their Exposition of faith<sup>n</sup>; and as such the Donatists did allege it to St Austin<sup>o</sup>, who knew of no other.

3 The Acts, therefore, which pass under the name of the Sardican Council, are not to be reputed the Acts of the whole Church, in peaceable consent; but of the Occidental Bishops resting combined, after that breach and secession of the Orientals: whence this Synod was not by the ancients reckoned an Ecumenical Council; and St Hilary calleth it *a Synod of Western Bishops*<sup>p</sup>; (so doth Epiphanius<sup>q</sup>); and the Popes who alleged the decrees thereof for Nicene, did not take it for such.

4 In that Synod Father Hosius did preside, as is intimated by the Synod itself, as is affirmed by Athanasius, as may be concluded by the subscriptions, extant in Athanasius, wherein Hosius is set before Pope Julius himself.

5 The Synod did examine the judgment of Pope Julius concerning Athanasius and Marcellus,

<sup>m</sup> Apud Hilar. in Frag. III. [Opp. col. 1307 A.]

<sup>n</sup> De Synod. [col. 1172 B.]

<sup>o</sup> Ep. CLXIII. [Ep. XLIV. § 6. Opp. Tom. II. col. 103 c, &c. Tunc protulit quoddam volumen, ubi volebat ostendere Sardicense Concilium ad Episcopos Afros, qui erant communionis Donati, dedisse literas —. Tunc accepto ipso volumine, ejusdem Concilii Statuta considerans, legi Athanasium Episcopum Alexandrinum Catholicum — et Julium Ecclesiae Romanae Episcopum, nihilominus Catholicum, illo Concilio Sardicensi fuisse improbatos —.]

Con. Cresc. III. 34. [Opp. Tom. IX. col. 454 c. Disce ergo quod nescis, Sardicense Concilium Arianorum fuit, quod totum (notum) jamdiu est ut habemus in manibus, contractum maxime contra Athanasium Episcopum Alexandrinum Catholicum —.]

<sup>p</sup> Hil. con. Const. [Opp. col. 1255 A.]

<sup>q</sup> Epiph. Haer. LXXI.

Pope (upon a particular occasion, by persons engaged with him in a cause of that nature, and heated with animosity) doth argue that he wanted it before, and derogateth from all other pretences thereto.

8 The other Canon<sup>x</sup> did confer on the Pope another privilege, that upon deposition of any Bishop by neighbour Bishops, another should not be substituted, until (the said Bishop alleging matter of defence) the Roman Bishop<sup>y</sup> should order his case to be revised, and determined, not absolutely, but in the manner prescribed by the 5th or 7th Canon of the Synod<sup>z</sup>.

These Canons did the Popes<sup>a</sup> great service, proving great engines whereby they did enlarge their power to such exorbitancy, and enslave the Western Church, voiding the judgments of provincial Synods, and hooking (drawing) to themselves the decision of all causes; any party cast being ready to appeal to him, and they as ready to receive such appeals. But we may see how just such proceedings were, and how valid those Canons are, by attending to the following considerations.

I These Canons seem only projected in that Synod, but never thoroughly enacted, duly promulgated, or effectually admitted into practice by any Church; but were dough-baked and proved

<sup>x</sup> Can. iv. (Gr.) [Mans. col. 8 E.]

<sup>y</sup> Εάν μὴ δὲ τῆς Πωμαίων Επίσκοπος.

<sup>z</sup> Can. v. (Gr.) vel. Can. vii. (Lat.) [Mans. col. 9 A. col. 24 D.]

<sup>a</sup> Ipsi sunt Canones, qui appellaciones totius Ecclesiae ad hujus Sedis exament voluere deferri.—Gelas. I. Ep. iv. [Mans. Cone. Tom. VIII. col. 17 D.]

Ἐκ τούτου τοῦ κανόνος τὸ Πωμαῖκὸν ἡρτον εἰς ἀλαζονεῖαν, &c.—Schol. in Can. iv. apud Bevereg. in Not.

by them<sup>o</sup>, which would have enabled him to give a legal redress, agreeable to his own desire, but endeavoured for that end to procure a General Synod. Whence could this be, but from an ignorance in both, or a mean opinion of these Canons?

Whereas St Chrysostom was abdicated by virtue of a Canon of the Antiochene Synod, why at least did not Pope Innocent allege that Canon to have been abrogated by a contrary decree at Sardica?

In a like case, when Maximus, ordained Bishop of Constantinople by some Bishops, was by a Synod of Oriental Bishops divested of that place, and for redress had recourse to Pope Damasus and the Western Bishops; although these did favour his cause, and a fair occasion was offered of exerting the power<sup>f</sup> granted by the Sardican Canons, yet was it not embraced; nor any more pretended by the Bishops of Italy, but that the cause ought not to be decided without them, but should be referred to discussion in a common Synod of Eastern and Western Bishops: *We do not* (said the Italic Synod) *challenge the prerogative of trial; but there ought to have been a consortium of common judgment<sup>g</sup>.* Whence was this, but that the Pope was ignorant of his strength and privilege, allowed by the Sardican Council<sup>h</sup>?

<sup>o</sup> N. Pope Innocent doth cite them in Epist. apud Soz. viii. 26.

<sup>f</sup> Vid. Marcam, (de Concord.) vii. 4.

<sup>g</sup> Non prærogativam vindicamus examinis, sed consortium tamen debuit esse communis arbitrii, &c.—Epist. Syn. Ital. in App. Cod. Theod.

<sup>h</sup> Many Bishops, adherents to St Chrysostom, were expelled, not finding relief from their friend Innocent.—Cf. Theod. Eccl. Hist. v. 34.

in some book patched (annexed) to the Canons of Nice, did allege them as Nicene decrees, in countenance of his admitting the appeal of that scandalous presbyter; by which allegation, it is plain, the decrees of Sardica, as such, were unknown to Zosimus himself, (who might have pretended, upon the authority of that Synod, the same power which he erroneously grounded on the Synod of Nice,) whose purpose the Sardican would have served. It was the ignorance, rather than artifice, of Zosimus. They were not in practice observed.

In that interval (of above sixty years between the Synod of Sardica and Pope Zosimus, who first alleged them,) the Popes, by virtue of Imperial Edicts, did exercise this power, in the West, of judging; which they had not needed, nor would have sought, if they had such a jurisdiction settled on them by a general Synod of Occidental Bishops.

Upon such considerations it seems reasonable to suppose those Canons never were enacted, or at least not duly published, and so had never the virtue of laws. It is one condition of a Synod well kept, *Quam tota Ecclesia non recepit*<sup>n</sup>.

<sup>2</sup> These Canons were not avowed or admitted into practice by the Eastern Church<sup>o</sup>, for

<sup>n</sup> P. Gelas. I. Ep. xiii. [—— ubi etiam consequenter ostenditur, quia male gesta Synodus, id est, contra Scripturas Sanctas, contra doctrinam Patrum, contra Ecclesiasticas regulas, quam tota merito Ecclesia non recepit, &c.—Mans. Conc. Tom. viii. col. 55 b.]

<sup>o</sup> P. Nichol. I. Ep. vi. ad Photium, [Bin. Tom. vi. p. 494, c. 2 b.] [Mans. Tom. xv. col. 176 d. Quod vero dicitis neque Sardioense Concilium, neque Decretalia vos habere sanctorum Pontificum, vel recipere, non facile nobis facultas credendi tribuitur: maxime cum Sardicense Concilium, quod penes vos in vestris regionibus

Laws inconsistent with them, without any notice being taken of them, were constituted<sup>u</sup>.

3 We may consider, that these Canons were in their nature invalid<sup>v</sup>, as derogating from the constitutions of the great Synod of Nice; according to which the causes of Bishops were to be determined in each province; no appeal then being allowed, or revision of judgment, except by order of the Emperor.

4 These Canons, if ever enacted, were repealed by contrary or incompatible decrees of Synods, following this in time, and outweighing it in authority<sup>x</sup>.

The General Synod of Constantinople, ordering that, according to the Nicene Canons, the affairs of each province should be administered within itself, did adjoin, that the causes of Bishops should be referred to the cognizance of Diocesan Synods<sup>y</sup>, in the decision whereof every Bishop

<sup>u</sup> Vid. P. Nichol. I. Ep. vi. ad Photium. [Decr. i. Dist. xvi. Can. 14. Corp. Jur. Can. Tom. i. p. 20. Quod vero dicitis, &c. See above.]

Vid. Marc. de Concord. vii. 4. Thornd. p. 429. (cap. 23).

<sup>v</sup> Neque trecentis illis decem atque octo Episcopis quantumlibet copiosior numerus sacerdotum vel comparare se audeat vel præferre; cum tanto divinitus privilegio Nicæna sit Synodus consecrata, ut sive per pauciores, sive per plures Ecclesiastica judicia celebrentur, omni penitus auctoritate sit vacuum, quicquid ab illorum fuerit constitutione diversum.—Leo ad Anatol. Ep. LIII. [Ep. cvi. Opp. col. 1163.]

Sancti illi et venerabiles patres —— mansuras usque in finem mundi leges Ecclesiasticorum Canonum condiderunt, &c.—Ibid.

Idem repetit. Ep. LV. [Ep. cv. col. 1155.] ad Pulcheriam, et Ep. LXII. [Ep. cxxix. col. 1214.] ad Max. Antioch.

<sup>x</sup> Τίς ἀποδέξεται τοὺς τὴν Ἀρίμνου ἡ ἀλληγ σύνοδον παρὰ τὴν ἐν Νικαίᾳ διοράτων, &c.—Athan. apud Theod. Eccl. Hist. II. 23.

<sup>y</sup> Conc. Constat. Can. II. vi. [Mans. Conc. Tom. III. coll. 560, 561.]

and so they at length became received into their bodies of law<sup>o</sup>.

5 These Canons were not confirmed by the Emperors, without whose authority no such decrees could have force<sup>1</sup>.

6 All such Canons, grounded upon present occasions and circumstances of things, are temporary, and continue only so long valid, as other inconsistent laws or customs, repugnances in things, revolutions of State, desuetude in time, do not extinguish them. These do therefore now signify nothing, and serve only as a monument of what was decreed or designed for the exigency of that time<sup>2</sup>.

7 We may consider, that the power assumed by the Pope from these Canons doth far exceed the intent of them; which only was, to confer on him a power of appointing a revision or retraction of causes to be made in the province, not of assuming them to himself<sup>3</sup>: as De Marca<sup>4</sup> ingeniously doth observe and prove.

8 Whereas these Canons<sup>k</sup> did entrench upon the Emperor's right, they needed his confirmation and maintenance; they could not go or stand without his leave; so they were revocable by him, and by other Sovereigns.

<sup>o</sup> Vid. Thornd. p. 425.

<sup>1</sup> Non enim illa vires habere poterit definitio, cui nostra statuta testantur jam nunc robur et copiam denegari.—Epist. Constant. ad Conc. Arim. in Frag. Hil. [Frag. vii. Opp. col. 1341 c.]

<sup>2</sup> Quod pro remedio ac necessitate temporis statutum est, constat primitus non fuisse, &c.—[Decret. II. Pars, Caus. I. Quæst. vii. cap. 7. (P. Innoc. I.) Corp. Jur. Can. Tom. II. p. 149.]

<sup>3</sup> Thornd. [cap. 23.] p. 427.

<sup>4</sup> Marc. vii. 3.

<sup>k</sup> Vid. Schol. in Can. iv. apud Bever.

orthodox party in their Synodal letters to the Emperor, recited by the Historians<sup>m</sup>.

This I speak, not to justify the Emperor in his dealings with him, nor to infringe the exception of Pope Damasus against the proceedings of the Synod<sup>n</sup>, as defectuous by reason of the Pope's non-concurrence, (for I admit it equitable that neither the Pope, nor any other Patriarch or principal Bishop, should ever be excluded from any transactions concerning the faith, or any general interest of Christendom,) but to shew the opinion of those times concerning him; which, if it had been like to that of our pretended Catholics now, his name surely would then have made a more notable clatter than it did.

XVII. The passages concerning Pope Liberius do here offer themselves to be remarked. The Eusebian party had a great mind to draw him, as leader of the Western Bishops, to conspire with them in discarding Athanasius<sup>o</sup>; to which end the Emperor Constantius (who was guided by their suggestion) did first send to him, afterwards in person discoursed with him, endeavouring by persuasion and by menaces, to induce him thereto. In the discourse reported by Theodoret<sup>p</sup>, Liberius

<sup>m</sup> Socr. p. 37. Theod. p. 19, 20, 22. Soz. vi. 23.

<sup>n</sup> Vid. Collect. Roman. Holstenii.

N. B. ήμείς διὰ τὸ χριστιανὸν σε εἴναι καὶ ἐπίσκοπον τῆς ἡμετέρας πόλεως ἄξιον ἐκρίναμεν, &c.

<sup>o</sup> ἐλογίσαντο οἱ δυσσεβεῖς, ὅτι εἰ τὸν Λαζέριον πείσαμεν, πάντων ταχέως κρατήσομεν.—Athan. ad Monach. Opp. Tom. I. p. 832. [Ed. Paris. 1627.]

— auctoritate potiebantur aeternæ urbis Episcopi firmari desiderio nitebatur ingenti.—Marc. Lib. xv.

<sup>p</sup> Eccl. Hist. II. 16. Cf. Soz. IV. 11.

stoutly and modestly did maintain the justice of Athanasius' cause, alleging that he was not legally convicted of the crimes whereof he was accused; wherefore he desired the Emperor to command a judgment, and entreated him for that purpose to appoint a General Synod to be convened<sup>q</sup>. The Emperor's words to him are observable: *How great a part of the world art thou, that thou alone dost take part with an impious person, and breakest the peace of the whole world?*<sup>r</sup> The Emperor, it seems, did not dream of his being spiritual Prince of the Church, sovereign Judge of controversies, a Vicar of Christ, nor did the good Pope insist upon such pretences.

In result of these endeavours, Liberius, constantly refusing to comply, was banished, and Felix was substituted in his room; one who temporized, either embracing the Arian doctrine, or communicating with that party<sup>s</sup>. But, after two years, Liberius, being hardly used, did consent to the condemnation of Athanasius, did embrace communion with the Arians, did subscribe to a form of doctrine proposed by them<sup>t</sup>; whereupon St Hilary did denounce on him that triple anathema: *Anathema dico tibi Liberi*<sup>u</sup>.

<sup>q</sup> κριτήριον συσταθῆναι κέλευσσον.—Theod. II. 16.

<sup>r</sup> πόσον εἴ μέρος τῆς οἰκουμένης, ὅτι σὺ μόνος συναιρεῖς ἀνθρώπῳ ἀροστῷ, καὶ τῆς οἰκουμένης τὴν εἰρήνην καὶ ὀλού τοῦ κόσμου λένεις;

<sup>s</sup> Quasi non sit deterius et non ignorasse veritatem, et tamen communicasse veritatis inimicis.—Gelas. I. Ep. I. [Mansi. Conc. Tom. VIII. col. 70c.]

<sup>t</sup> Vid. Epist. Liberii in Hilar. Frag. [Frag. VI. §§ 5, 6. coll. 1335—1337.]

<sup>u</sup> Ο δὲ Λαζέριος ἔξορισθεὶς ὑπερον μετὰ διετῆ χρόνον ἔκλασε, τῷ φοβηθεὶς τὸν ἀπειλούμενον θάνατον ὑπέγραψεν.—[Ath. ad Monach. Tom. I. p. 291 c. Ed. Bened. 1777.]

<sup>u</sup> [Frag. VI. § 6. Opp. col. 1337 A.]

The iniquity and inhumanity of this proceeding Athanasius himself, with all vehemence of speech he could devise, striving to describe and aggravate, doth not yet charge it with rebellion or disloyalty against the sovereignty of the Church, placed in the Roman See, but with irreverence toward the dignity of it being a See so considerable: *For (saith he) neither did they at first spare Liberius, Bishop of Rome, but did extend their rage even so far as to them there; not for shame regarding that it is an Apostolical See, that Rome was the Metropolis of the Roman territory, nor remembering that before, in their writings, they had called them Apostolical men*<sup>x</sup>: which aggravation of their dealing with Liberius, plainly doth leave out the Papal pretences; for their not regarding the Apostolicalness of his See was no matter of special consideration, seeing that other Sees were also called Apostolical<sup>y</sup>; Rome being head of the Roman territory was more peculiar, but not advantageous to our adversaries' cause; he should have said, they did not treat him with respect due to the sole Vicar of Christ, the Sovereign of the Church, the universal Pastor and Judge; then had he given their crime its due weight: he could not, indeed, have said less, had he been of our adversaries' mind.

<sup>x</sup> Καὶ γὰρ οὐδὲ Λιβερίου τοῦ Ἐπισκόπου Ρώμης κατὰ τὴν ἀρχὴν ἐφείσαντο, ἀλλὰ καὶ μέχρι τῶν ἐκεῖ τὴν μανίαν ἔξτειναν, καὶ οὐχ ὅτι Ἀποστολικός ἔστι θρόνος ὑδέσθησαν, οὐδὲ ὅτι μητρόπολις ἡ 'Ρόμη τῆς Ρωμανίας ἔστιν εὐλαβήθησαν, οὐδὲ ὅτι πρότερον Ἀποστολικούς αὐτοὺς ἄνδρας γράφοντες εἰρήκασιν ἐμπημόνευσαν.—Athan. ad Monach. Opp. Tom. I. p. 832. [Ed. Paris. 1627.] [Opp. Tom. I. p. 288 c. Ed. Bened. 1777.]

<sup>y</sup> Soz. I. 17. Tertull. de Prax. xxxvi.

Neither, in truth, can it be well conceived, that if the Pope had been then commonly taken for such, or had been so reputed by the Fathers of former ages, either the Emperor, or so many Archbishops with him, would have used him so coarsely.

END OF VOL. VIII.

